ON THE SOCIALIST CONSTITUTION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

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EDITOR'S NOTE

In 1974 Fukushima Masao, a famous Japanese lawyer, put out a book containing the full texts of the great leader Comrade Kim Il Sung's works *Let Us Further Strengthen the Socialist System of Our Country* and *Socialist Constitution of the Democratic People's Republic of Korea* and explaining *Socialist Constitution of the Democratic People's Republic of Korea.*

This is an English version of the book.

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FOREWORD

The Socialist Constitution of the Democratic People's Republic of Korea represents the most novel, most original and excellent fundamental law of a socialist state, to which we should direct much attention.

Originally, Korea had had a close connection with Japan from ancient times. But we have a gloomy recollection that the Korean nation had been oppressed under Japanese colonial rule for 36 years in recent times. Now, we should keep close economic and cultural contacts with her as a good neighbour. However, after liberation Korea was unfortunately divided into two, the north and the south, due to the US imperialists' world strategy. On top of it, Japan, which is subordinated to the United States, has pursued the policy of recognizing the regime in the south while showing hostility to the Government of the Republic in the north. That is why this country, which is the nearest to Japan from a geographical point of view, has become a country on the farthest side of the globe from her as far as traffic is concerned. This is a generally known fact. This state of things affected the public understanding of the Republic in our country, and the Japanese people had long been in the dark as to the actual conditions of the Republic. They were only impressed by the propaganda that she was the "aggressor" in the Korean war. As years rolled by, this kind of false propaganda has lost its effect in face of the objective reality, clearly revealing its real sinister motives. This is a matter of course. In particular, of late, hosts of incidents have occurred to prove that the south Korean regime which is alleged to belong to the "free" camp is the most vicious dictatorial regime, far from being a "free" one. In contrast, it has become ever more evident that as a peace-loving country, the Republic aspires after the independent, peaceful reunification of her nation and that through socialist construction at home she has successfully overcome war damage unprecedented in history and made amazing progress in various spheres, social, economic and cultural, which is a matter for congratulation. But the superiority of this country's socialist system has not yet been

known full well. It would be of great significance to read the present Socialist Constitution of the Republic, which puts into statutory form what the Korean people have achieved in the socialist revolution and socialist construction through their united efforts under the leadership of President Kim Il Sung. The Constitution clearly indicates, not in an abstract but in a concrete form, the Republic's idea and methods for the present and the future.

To add to this, the new Constitution contains many workings of the law different from the ordinary ones which we have read a lot. This, in fact, is a concrete expression of the Juche idea created by President Kim Il Sung. Without it, it would be impossible to understand the great progress made by the Republic. Hence the need for explanation. Moreover, as the Constitution reflects the present conditions and future development of socialist construction in Korea, we should also have some knowledge of the establishment of the basis for the Constitution which belongs to the superstructure. The task of this book is that, while taking these points into consideration, it should give, as far as possible, a detailed explanation of the fact that the new Constitution corresponds with the history and reality of the Republic which has developed to become what it is today under the leadership of President Kim Il Sung and that it serves as a guideline showing where the Korean working people should direct their efforts at present and in the future. This book, therefore, is not written as a special law book.

At the same time, it can be said that the new Constitution of the Republic takes the lead in the big tide of the development of the law in the world socialist countries, that is, in the establishment of new constitutions in those countries since 1960. A jurist, especially one who studies the socialist law, may well have an interest in it. So, applying some comparative methods, the author tried more or less to compare it with the laws of other socialist countries. But it would undoubtedly leave something to be desired, and a detailed study of it will be made some day.

The Democratic People's Republic of Korea is considered to be a highly developed socialist state. At present it applies very unique methods in conceiving and carrying into effect the plan for further perfection of socialism and, furthermore, in determining and following the specific course of realizing communism. This must not be overlooked in any case, for it is a development of the Juche idea which has creatively developed Marxism-Leninism to suit the social reality of Korea. This book is not a special book on the Juche idea, and space does not allow to delve into it. But since the new Constitution has touched on this point in many places, the author tried to give an outline of it.

This book consists of two parts. Part One is devoted to General Remarks. It is written by Fukushima, who studies the socialist law. Part Two, which is dedicated to article-by-article explanations, is written by Professor of the Republic Kim Gyu Song, a Korean scholar in Japan. This book carries translations of President Kim Il Sung's historic report, *Let Us Further Strengthen the Socialist System of Our Country,* and the text of the Socialist Constitution of the Democratic People's Republic of Korea. The collected laws including the former Constitution are appended to this book for reference.

It is very presumptuous of the author (Fukushima) to write this book, because he has made a limited study of the Republic's law and has little knowledge of the Korean language. However, he gained deep impressions from the achievements of socialism when he stayed in the Republic for one month last autumn at the invitation of the Korean Society for Cultural Relations with Foreign Countries and also from his visit to Hamhung where he had undergone a year of military service 30 years ago.

The author had toured some socialist countries in the past and on each occasion had received fresh impressions. However, in Korea he was so greatly impressed by the superiority of her socialist system that he even wondered if such a change could have been brought about by the transformation and development of the people, the independent beings. That is why he, though incompetent, made up his mind to make comment on the new Constitution, which is the legal expression of that system. There is no end to problems to be studied, and yet his comment is far from being comprehensive. Anyhow, this book was completed in a fairly short time in spite of the pressure of various other work. This is entirely the fruit of cooperation the author received from Professor Kim Gyu Song and from all quarters for which he must express his deep gratitude.

Fukushima Masao

February, 1974

KIM IL SUNG

LET US FURTHER STRENGTHEN THE SOCIALIST SYSTEM OF OUR COUNTRY

SOCIALIST CONSTITUTION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

LET US FURTHER STRENGTHEN THE SOCIALIST SYSTEM OF OUR COUNTRY

Speech Made at the First Session of the Fifth Supreme People's Assembly of the DPRK

December 25, 1972

Comrade Deputies,

The election to the Fifth Supreme People's Assembly of the Democratic People's Republic of Korea was held successfully at a time when all of our people were making a new great revolutionary upswing on all fronts of socialist construction, upholding the decision of the historic Fifth Congress of the Workers' Party of Korea, and when the whole nation was seething with a burning desire for independent, peaceful reunification.

All our citizens, with great pride and sense of honour as citizens of the DPRK, actively participated in the election and expressed their unreserved support for and profound trust in our Party and the Government of the Republic. This election strengthened our revolutionary power still more, consolidating the revolutionary base of the northern half of the Republic.

On behalf of the Central Committee of the Workers' Party of Korea and the Government of the Republic, I would like to express warm thanks to the entire people for their unreserved support for and deep trust in our Party and the Government of the Republic manifested in the recent elections.

Comrades, twenty-four years have elapsed since the Korean people embarked on the creation of a new society and a new life under the banner of the Republic, with a genuine people's Constitution, the first of its kind in their history. In this period our people, under the wise leadership of the Workers' Party of Korea, have made great achievements in the socialist revolution and building of socialism. During these years there has really been a great transformation in this country and epoch-making changes have taken place in the political, economic and cultural spheres of our people's life.

Our realities today urgently demand the establishment of

a new Socialist Constitution to consolidate legally the tremendous achievements of our people in the socialist revolution and building of socialism and to lay down the principles of the political, economic and cultural features of socialist society. Therefore, we have formed a Commission for the Drafting of the Socialist Constitution of the DPRK and have prepared a draft Socialist Constitution. The draft Socialist Constitution of the DPRK was discussed at a plenary meeting of the Central Committee of the Workers' Party of Korea and considered at the Central Committee of the Democratic Front for the Reunification of the Fatherland before it was submitted to the Supreme People's Assembly.

The adoption of the Socialist Constitution of the DPRK at the current session of the Supreme People's Assembly will be a historic event in our people's revolutionary struggle and work of construction.

1. THE STRUGGLE OF THE GOVERNMENT OF THE REPUBLIC FOR THE SOCIALIST REVOLUTION AND BUILDING OF SOCIALISM

Comrades,

The socialist revolution is the most thoroughgoing social transformation in the history of mankind for the abolition of the exploitation of man by man once and for all and for opening up a new path of social progress.

If the working class and the Marxist-Leninist party that fight to liberate the masses of the people from exploitation and oppression and guarantee them a happy life are to fulfil their historic mission, they must lead the people in carrying out the socialist revolution. Only when the people who have extricated themselves from the colonial enslavement of imperialism take

the road to socialism, can they be completely liberated from class exploitation and national oppression, and enjoy a free and happy life and achieve their country's sovereignty and independence and national prosperity.

In our country the socialist revolution began after the carrying out of the anti-imperialist, anti-feudal, democratic revolution in the northern half following liberation. It is a legitimate process of revolutionary development that the anti-imperialist, anti-feudal, democratic revolution led by the working class passes over to the socialist revolution.

After the anti-imperialist, anti-feudal, democratic revolution had been carried out, our country had a socialist economic sector consisting mainly of the state-run economy, alongside a small-commodity sector consisting of individual peasant economy in the countryside and urban handicraft economy, and a capitalist economic sector of capitalist trade and manufacturing in towns and the rich peasant economy in rural areas.

As long as the capitalist and small-commodity sectors were left intact, it was impossible to thoroughly eradicate the sources of exploitation and poverty, and completely free the productive forces of society from the shackles of old production relations, and speedily develop the nation's economy as a whole in a planned way. Therefore, in order to completely free our people from all sorts of exploitation and oppression and rapidly develop the country's productive forces, we had to carry out the socialist revolution upon the completion of the democratic revolution.

Furthermore, we had to do this in order to strengthen the unity and solidarity of the entire people based on the worker-peasant alliance on a new socialist foundation, wipe out the strongholds of the reactionaries and the breeding ground of old ideas, and reinforce the political basis of the revolution.

Our people thus entered the period of transition to socialism immediately following the democratic revolution. However, in the days of peaceful construction our socialist revolution

was only partially started; it was still in the preparatory stage. Because of the war forced on us by the US imperialists the socialist transformation in the northern half had to be interrupted temporarily, and our socialist revolution had to start virtually after the war.

The postwar socio-economic conditions in the northern half of the Republic urgently demanded a full-scale acceleration of the socialist revolution.

The war badly damaged the material and technological foundations of agriculture and brought extreme impoverishment not only to poor peasants but also to middle and rich peasants. After the war our countryside was very short of draught animals, farm implements and manpower, and there was also an acute shortage of food and clothing. Since agriculture was so severely damaged, the continuation of the individual peasant economy would have made it impossible to speedily restore the productive forces of agriculture and solve the postwar food problem that had become very serious. Unless the destroyed productive forces of agriculture were rapidly restored and the food problem solved promptly, there was the danger that the development of industry and the national economy in general would be held back and there would arise a serious disparity between industry, which was then being reconstructed and developed quickly in a planned way, and agriculture, which was being rehabilitated slowly. In addition, if the small peasant economy had been left intact, we would not have been able to rapidly improve the living conditions of our impoverished peasants and, in particular, to solve the problem of the poor peasants whose number had increased during the war. In a word, the limitations of the individual peasant economy in our country manifested themselves most strikingly in the postwar years and we could not allow this situation to exist any longer. The only way to overcome these limitations was to go over to a cooperative form of agriculture.

The war also greatly impoverished individual trade and

manufacturing in towns. The capitalist traders and manufacturers suffered such severe losses that they were reduced to straitened circumstances just as the handicraftsmen and small merchants were. After the war the entrepreneurs and merchants were unable to recover their previous economic positions or eke out a living by themselves. The only way out for these impoverished entrepreneurs and merchants was to work collectively, pooling their efforts and funds with the assistance of the state, that is, to take the socialist path. It was not only the demand of our revolution but also an objective necessity arising from the conditions facing the capitalist traders and manufacturers, that they had to be led to follow the road to socialism after the war.

The full-scale stepping up of the socialist revolution after the war was also necessary in order to strengthen the revolutionary base of the northern half of the Republic. Only by continuing to accelerate the revolution in the north was it possible to turn it into a strong base to eventually guarantee national reunification and the nationwide victory of the revolution. Therefore, the continued and vigorous acceleration of the revolution in the northern half was not only the demand of the revolutionary development of the north itself but also the essential demand of the advancement of the Korean revolution as a whole.

On the basis of a scientific analysis of the revolutionary situation created in our country after the war, our Party considered the postwar period the most appropriate stage for the socialist revolution, and in its April 1955 Theses, set forth the policy of stepping up the socialist revolution full scale.

What is most important in transforming the old production relations in town and country and establishing the unchallenged predominance of socialist production relations is the cooperativization of the individual peasant economy.

In the light of the specific postwar situation in our country our Party and the Government of the Republic advanced a

policy to transform the economic forms along socialist lines prior to the technological reform of agriculture, and vigorously launched an agricultural cooperative movement.

Since the socialist transformation of agriculture was urgently demanded by the revolution after the war, we could not postpone agricultural cooperativization simply because the economy had been damaged and our technological development was still at a low level. The decisive condition for agricultural cooperativization lies not in whether agriculture is equipped with modern technology but in whether this step is a vital demand of the peasants themselves, whether the revolutionary forces are prepared to carry it out. As Marxism-Leninism teaches us, even a collective economy that merely pools the peasants' land and farm implements can achieve an improvement in the economy that would, otherwise, be impossible in the individual small peasant economy, and, at the same time, can raise the productivity of labour several times. Thus, our Party waged a struggle to transform economic forms first in order to meet the urgent demand of social development, instead of waiting until industrialization was carried out. As a result, we were able to rapidly restore and develop the productive forces of agriculture severely damaged by the war and to dynamically push ahead with the technical revolution in the countryside in keeping with industrial development.

In guiding the agricultural cooperative movement, our Party and the Government of the Republic strictly observed the voluntary principle.

Our Party categorically rejected coercive methods in this movement and adopted a number of correct policies to induce the peasants to voluntarily join the cooperative economy.

An object lesson in the cooperative movement is the best way of persuading the peasants engaged in centuries-old methods of individual farming to join cooperative farming voluntarily. We intensified the ideological education of the peasants, and at the same time, established a pilot stage and

strove to show them the advantages of the cooperative economy by practical examples.

Taking into consideration the fact that the land remained the private property of the peasants and that their property status and ideological awareness varied, we laid down three forms of agricultural cooperative economy and encouraged the peasants to choose the form they considered most appropriate for them. In pooling the peasants' means of production, we saw to it that according to their desire, draught animals and farm implements were pooled or were left under private ownership for a certain period while being used collectively, and when they were pooled, due compensation was made without fail. These measures taken by our Party helped the peasants of different strata to readily accept the policy of cooperativization and made it possible to prevent some deviations which, otherwise, might have appeared in the course of the cooperative movement.

In drawing the peasants of various strata into cooperative farming according to the voluntary principle, our Party followed the class policy of relying firmly on the poor peasants, strengthening the alliance with the middle peasants, and restricting and gradually remoulding the rich peasants.

Our Party first organized a few agricultural cooperatives in each county on a trial basis with the poor peasants and the hard core of people in the countryside who had most actively supported agricultural cooperativization, consolidated them and, on this basis, developed the cooperative movement. Meanwhile, the poor peasants were encouraged to play the leading role in all the agricultural cooperatives. It also made sure that cooperatives were not organized exclusively with well-to-do peasants and that the rich peasants were not allowed to influence the work of the agricultural cooperatives. At the same time, it strictly guarded against the tendency to force the middle peasants into the cooperative economy or infringe upon their interests and so weaken the alliance with them, and

demonstrated the superiority of the cooperative economy to the middle peasants through the competition between individual and cooperative farming. As for the rich peasants we did not expropriate and eliminate them but encouraged them to join cooperatives voluntarily, restricting their ability to exploit.

Throughout the period of the agricultural cooperative movement our Party and the Government of the Republic persistently carried out organizational and political work among the peasants, and, relying on socialist industry, gave enormous material and technical assistance in diverse forms to the agricultural cooperatives and helped them in terms of manpower. Such guidance and assistance played a decisive role both, in shoring up the weak agricultural cooperatives organized with poor peasants in the incipient stage to show their advantages over the individual economy, and in consolidating the cooperative economic system politically and economically.

Thanks to these intelligent and creative policies of our Party and the Government of the Republic, our agricultural cooperative movement proceeded quite smoothly and was victoriously completed in only four or five years.

To establish the unchallenged sway of socialist production relations in town and country, it is necessary to carry out a socialist reorganization of individual trade and manufacturing as well as agricultural cooperativization.

In the early days of the transition period, our Party began to set up handicraft cooperatives on a trial basis, and in the postwar period, energetically pushed this programme forward, carrying it out successfully in a brief period.

In the socialist reorganization of individual trade and manufacturing, our Party and the Government of the Republic devoted special attention to the transformation of capitalist trade and manufacturing. Taking into account their characteristic features in our country, our Party adopted the line

of remoulding the capitalist traders and manufacturers along socialist lines, instead of expropriating them.

The national capitalists in colonial, semi-feudal society, though inconsistent, have some revolutionary spirit and are keenly interested in the anti-imperialist, anti-feudal, democratic revolution. In the light of such characteristics in these capitalists, we drew them over to the side of the revolution and, together with them, carried out the national-liberation struggle and the democratic revolution. From the beginning our policy in regard to the national capitalists was not only to carry out the anti-imperialist, anti-feudal, democratic revolution together with them, but also to take them along with us to a socialist, communist society. Therefore, we could not expropriate the entrepreneurs and traders in the stage of socialist revolution just because the capitalist traders and manufacturers were the targets of the revolution. Moreover, we had no need to expropriate them because capitalist trade and manufacturing were totally destroyed in the war and the entrepreneurs and traders supported the Party's line of socialist revolution. And they had nothing, so we could not expropriate them.

Hence, our Party adopted the line of transforming capitalist trade and manufacturing along socialist lines and saw to it that capitalist traders and manufacturers were drawn into diverse forms of cooperative economy in strict observance of the voluntary principle as all requisite conditions for this were ripe after the war.

We first strengthened producers' cooperatives, formed of handicraftsmen, and then gradually drew entrepreneurs into the cooperative economy; we organized marketing cooperatives or production-and-marketing cooperatives with individual traders and progressively increased the proportion of production in those cooperatives so as to reorganize them into cooperatives entirely engaged in production. Under the Party's wise guidance, our socialist transformation of capitalist trade and

manufacturing progressed at a very high rate and was completed in 1958 almost simultaneously with agricultural cooperativization.

With the successful accomplishment of the historic task of the socialist transformation of the old production relations in town and country, an advanced socialist system free from exploitation and oppression was established in the northern half of our country. The victory of the socialist system in the north opened up a broad path for the further promotion of socialist construction and the radical improvement of the people's material and cultural welfare.

Comrades, our Party and the Government of the Republic forcefully pushed forward the struggle for socialist construction relying on the triumphant socialist system.

In socialist construction our Party held fast to the principle of energetically carrying on both the work of laying the material and technological foundations for socialism and the work of educating and remoulding people along communist lines, that is, the struggles to seize the material and ideological fortresses for the building of communism.

Socialist economic construction is one of the most important revolutionary tasks facing the party and state of the working class. Only when socialist economic construction is carried out successfully is it possible to attain a high level of development of the productive forces commensurate with a socialist society to systematically improve the people's material and cultural standards, and to firmly secure the political independence and sovereignty of the country.

Our people's struggle for socialist economic construction went through three stages—the stage of postwar rehabilitation and construction, the stage of laying the basis of industrialization and the stage of completing industrialization. At every stage of socialist economic construction our Party and the Government of the Republic set forth correct lines and policies which suited our specific conditions and organized and mobilized all Party members and working people for a powerful struggle for their implementation.

Over the whole period of socialist economic construction our Party has consistently adhered to the basic line of socialist economic construction on giving priority to the growth of heavy industry simultaneously with the development of light industry and agriculture.

This basic line is a correct line built on an accurate analysis of the requirements of the law of our postwar economic development and our actual possibilities. It is also a creative application of the Marxist-Leninist theory on extended reproduction in conformity with our specific conditions; it is a correct line which renders it possible to guarantee the balances between different branches of the national economy and attain a high rate of production growth.

In implementing this line our Party and the Government of the Republic gave priority to the creation of heavy industry with the engineering industry at its core.

Our Party's line in the building of heavy industry was to create our own solid bases of heavy industry which would be able to produce at home most of the raw materials, fuel, power, machines and equipment needed for the development of the national economy by relying on the rich natural resources and sources of raw materials in our country. In order to build solid bases of heavy industry we rebuilt and expanded the existing factories in this field and, at the same time, built new industrial branches and a number of factories and other enterprises. In building heavy industry, we ensured that this industry was built not as an end in itself, but to more effectively serve the development of light industry and agriculture and the improvement of the people's living standards. This policy of our Party has enabled us to build a powerful heavy industry of our own with a comparatively small capital investment, thereby rapidly developing light industry and agriculture.

Today we have a powerful heavy industry with all its key

branches, and its capacity has increased considerably. In particular, our engineering industry has made rapid progress. It has reached such a level that it is now able to produce different kinds of large and precision machines and the complete sets of equipment for modern factories.

Our Party and the Government of the Republic have directed considerable effort to the growth of light industry as well.

In this regard, our Party pursued a policy of simultaneously developing large-scale, centrally-run industries along with the medium- and small-scale local industries. Our Party and the Government of the Republic saw to it that large modern factories of the centrally-run light industry were established, and at the same time, that many local industry factories were set up by extensively using local reserves and that the technological reconstruction of local industry was stepped up vigorously.

The policy of simultaneous development of the central and local industries has helped to rapidly increase the production of consumer goods with no major capital investment from the state, and to guarantee a high rate of development of the national economy as a whole by concentrating state funds on heavy and central light industries. The growth of local industry has also made it possible to purchase and process in season farm produce and side-line products of the peasants, rapidly raising their living standards and improving the supply of consumer goods for urban dwellers as well.

As a result of the successful implementation of our Party's policy in the development of light industry, large, modern factories of central light industry and thousands of local factories have now come into being, and their technological equipment has been improved to a marked extent. Our light industry has now grown into a firm base for the production of a variety of consumer goods, capable of meeting the working people's demands.

The rational distribution of the productive forces is of great importance for the further development of the national economy as a whole and for successfully carrying out the long-term programme of socialist and communist construction.

In distributing the country's productive forces our Party and the Government of the Republic followed the principle of bringing factories and other enterprises closer to the sources of raw materials and the consumer areas, of guaranteeing the balanced development of different branches of the national economy and all regions of the country, and rapidly narrowing the difference between town and country. In rebuilding the national economy after the war, we, in accordance with this principle, located new factories and enterprises in different areas, while rebuilding many factories and enterprises where they already existed in order to guarantee the speeding up of rehabilitation and save funds. As a result, new industrial towns came into being all over the country, the integrated bases for industrial production were built in localities and the previous defects and irrationalities in the distribution of industries were completely eliminated.

The rational distribution of industries enabled us to effectively use our nation's natural resources and manpower to speed up socialist economic construction and proportionately develop all the areas of the country. It also helped to consolidate the worker-peasant alliance by strengthening the political, economic and cultural ties between the working class and the peasantry, to eliminate the backwardness of the countryside and drastically reduce the distinctions between town and country, and class difference between the workers and peasants, by increasing the assistance of industry to agriculture and the support of towns for the countryside. Moreover, it prevented excessive concentration of factories and population in a few cities as well as environmental pollution, which poses a great social problem in capitalist countries today.

One of the cardinal tasks in socialist economic construc-

tion is that of rapidly developing agriculture. Our Party and the Government of the Republic strove to consolidate the material and technological foundations of agriculture and increase its production while cooperativizing the individual peasant economy. In particular, we gave top priority to the ideological revolution in the countryside, in accordance with our Party's programme of socialist rural construction, *Theses on the Socialist Rural Question in Our Country,* and, at the same time, vigorously carried out the technical and cultural revolutions.

Irrigation was a primary task in the technical revolution in our countryside. In the years that followed the armistice the Government of the Republic implemented many irrigation projects in step with the agricultural cooperative movement and, with the completion of cooperativization, pushed ahead with the irrigation programme in a nationwide movement. In our country the irrigation of paddy fields has now been completed and a large portion of non-paddy fields irrigated, and drainage projects have been completed in our major rice-producing areas. Thus our peasants' centuries-old desire to farm free from the threat of drought and floods has come true.

The Government of the Republic saw to it that many medium and small power stations were built side by side with large ones and thus carried out successfully the task of rural electrification. Every ri in this country now has electricity and every farmhouse has electric lights. In the countryside, electricity is used extensively not only for the cultural home lives of the peasants but also as a source of power for machines and heat in agricultural production.

The Government of the Republic has also devoted much effort to develop mechanization and encourage the use of chemicals in agriculture. Our Party and the Government of the Republic have guaranteed that tractors, trucks and different kinds of efficient farm machines, chemical fertilizers and agricultural chemicals were produced in large quantities for

the countryside. As a result, the level of mechanization and chemicalization of agriculture has risen greatly and our peasants are gradually being freed from hard and backbreaking work.

Agricultural production has rapidly increased with the progress of the rural technical revolution. Our countryside where poverty and ignorance prevailed before, has now become a rich modern socialist countryside.

Training our own cadres was a matter of vital importance in this country which was once a backward colony. Immediately following liberation, our nation had very few cadres, and this was a serious drawback in running the state and building our economy and culture. Therefore, our Party and the Government of the Republic devoted great efforts to the training of our own cadres and, in particular, actively endeavoured to train a large army of technicians capable of carrying out socialist construction which was proceeding full scale after the war. We developed a regular system of higher education along with various programmes offering higher education for those who were on the job, and firmly established comprehensive cadre-training bases in the localities. Consequently, our country now has a large army of some 500,000 technicians and specialists. They are excellently managing state and economic organizations and cultural institutions, and modern factories, enterprises and cooperative farms.

Our people's struggle for the socialist revolution and the building of socialism was carried on under the very difficult conditions of the enemy's ceaseless aggressive manoeuvres. In order to defend the country and the people and safeguard the gains of the revolution in the face of the enemy's aggression, our Party and the Government of the Republic paid great attention to increasing our defence capabilities through the whole course of the revolution and construction work. In particular, we advanced the new line of simultaneously carrying on economic and defence construction in the light of intensified ag-

gressive manoeuvres by the US imperialists. We reorganized the whole work of socialist construction in a revolutionary way and directed greater efforts to building up our defence capabilities. In order to perfect our national defence we diverted a large amount of manpower and material resources to this purpose, even though this to a certain extent proved detrimental to economic construction, and vigorously organized and mobilized the entire people for the implementation of the Party's military line. As a result, our People's Army has now grown to be an invincible revolutionary armed force; all our people have been armed and the whole country has been fortified. We can confidently say that we have defence capabilities powerful enough to repulse the invasion of any and all enemies, defend our country and people, and safeguard our revolutionary gains.

Educating and transforming people along communist lines is one of the most important tasks of socialist and communist construction.

Man is the master of nature and society and the main factor that decides everything. The masses of the people are masters of socialist society, and it is also they who are able to promote the revolution and construction work. Therefore, if we are to build socialism and communism, we must not only lay the country's firm material and technological foundations but also educate and remould people, the masters of society, along communist lines and bring their creative wisdom and revolutionary enthusiasm into full play.

Our Party and the Government of the Republic advanced a correct line and policy to educate and remould the people at every stage of the revolution and construction, and worked hard to implement this. In the period of socialist revolution we strove to turn all members of society into socialist working people through a close linking of the transformation of economic forms with the remoulding of people. After the triumph of the socialist system, we vigorously pushed forward the reeducation of the people along communist lines, on the basis of the line of revolutionizing and working-classizing the whole of society.

In educating and remoulding people, our Party and the Government of the Republic have always adhered to the principle of raising the ideological preparedness, the sense of organization and the cultural level of the working class and of educating and remoulding the peasants and intellectuals on the working-class model.

We increased the class awareness of the workers, first of all, by strengthening political and ideological work among them, constantly tempered them in actual production and waged an energetic struggle for the organizational and ideological consolidation of the ranks of the working class. This greatly increased the vanguard role of the working class in the revolution and construction and strengthened their revolutionary influence on the working people. Our working class has now become the most advanced and revolutionary class which, instead of working for a few pence, works with full devotion for the prosperity and progress of the country and the freedom and happiness of the people. It is admirably discharging its duties as the leading class of the Korean revolution.

Our Party and the Government of the Republic also paid great attention to educating and remoulding the peasantry, one of the main forces of the revolution. By intensifying the working-class guidance and assistance to the countryside we have accelerated the technical and cultural revolutions there and, on the other hand, energetically pushed forward the ideological revolution. As a result, the peasants' level of ideological consciousness has risen markedly and they have adopted a revolutionary and communist way of life. As reliable builders of socialism our peasants are today faithfully working for society and the collective, and are striving to supply more food to the workers and all other working people and to turn out sufficient raw materials for light industry.

The working class which has assumed power should build up the ranks of intellectuals. This is essential for the rapid development of science and technology, literature and art and for the successful building of socialism and communism. In the whole course of the revolution and construction, our Party and the Government of the Republic have perseveringly carried on the education of intellectuals and, in particular, directed great efforts to the education and remoulding of old intellectuals. With the implementation of the Party's policy on the education and remoulding of our intellectuals, they have become transformed into socialist working intellectuals and are confidently advancing along the road indicated by the Party. Our intellectuals are working not for fame or glory but for the Party and the revolution, for the country and the people with all their knowledge and talents, and are fighting vigorously side by side with the workers and peasants in the same revolutionary ranks to consolidate and develop our socialist system.

The education and remoulding of the working people are tasks designed to eliminate all outdated ideas remaining in their minds and overcome their old habits and arm them with the revolutionary ideas of the working class, communist ideology. Our Party and the Government of the Republic, therefore, have conducted the work of educating and remoulding people by means of explanation and persuasion with the main emphasis on ideological education. We intensified the education of the working people in Party policy and, at the same time, patiently carried on communist education with class ideas as its main content, so that all the working people have been firmly armed with the advanced revolutionary ideas of the working class, communist ideology.

Strengthening revolutionary organizational life is one of the important ways to educate and remould people along communist lines. Our Party and the Government of the Republic have paid serious attention to encouraging all the working people to take an active part in organizational life, voluntarily

observe organizational discipline and conduct their lives under the guidance and supervision of their organizations. In particular, we have carried on the ideological struggle by the method of criticism and have tempered the working people in a revolutionary spirit through the ideological struggle.

Our Party and the Government of the Republic closely combined practical activities with the work of educating and remoulding people through the Chollima Workteam Movement, and guaranteed that this work became the work of the masses themselves.

With the successful progress of the education and remoulding of the working people in a communist way, a great change has taken place in the political and ideological life of our people and our revolutionary ranks have been strengthened and developed into an invincible force.

Under our Party's wise guidance the Government of the Republic has achieved really great successes in the revolutionary struggle and work of construction in the past years. It has established the most advanced socialist system in this land where exploitation and oppression prevailed before, and converted our backward colonial agrarian country in a very short time into a socialist power with its solid independent national economy and enormous defence capacities. It has brought about a brilliant flowering and development of science and culture and achieved great success also in the work of revolutionizing and working-classizing the whole society. We have won great victories in the socialist revolution and building of socialism and risen to a new high peak which lies on our way to socialism and communism.

2. THE SUPERIORITY OF OUR SOCIALIST SYSTEM

Comrades,

The outstanding success achieved in all spheres of politics, economy and culture since the triumph of our socialist revolution is graphic evidence of the superiority and indestructible vitality of our socialist system.

Our socialist system is the most advanced social system where the working masses are masters of everything and where everything in society serves the working masses.

The working masses transform nature and society and make history. The creative labour and struggle of the working masses produce all the material riches of society and bring about social renovation and progress. That is why the working masses should become masters of society and enjoy all its material wealth.

Not in every society, however, are the working masses masters of their society. People's position in society is determined by whether or not they hold state power and the means of production in their hands. Only those who have both can be the masters of society.

In an exploiter society, the toiling masses are not the masters of society but victims of exploitation and oppression, suffering all sorts of humiliations and insults to their dignity, because they hold no state power and own no means of production. In capitalist society where money is everything, even the dignity of a man is determined by the amount of money he has; poor people are treated like commodities.

Only in socialist society can the working masses enjoy an independent and creative life as real masters of society. Today all our government policies are geared to the interests and happiness of the workers, peasants and other working people;

all the wealth of society is dedicated to the promotion of their welfare. In our society the working masses are highly valued and they and their rights are most respected. Especially in this country the rising generation who represent the future of society are treasured more than anyone else; all attention is directed to bringing them up to be happy, free from the social evils inherent in an exploiter society.

The fact that the working masses in socialist society are the masters of society and that they and their rights are respected to the utmost is explained precisely by their being masters of state power and the means of production. This is the basis of all the advantages and indestructible vitality of the socialist system.

Our socialist system is a genuinely democratic system that guarantees in practice the political rights and liberties of the workers, peasants and other working people.

Regardless of sex, occupation, property status, education and party affiliation, all our working people have the right to elect and to be elected and are guaranteed all rights to and freedom of social and political activities such as speech, press, assembly and demonstration. The workers, peasants and other working people, who were formerly held in bondage without any rights, now directly participate in state administration and politics as masters of state power and conduct free social and political activities as members of political parties and social organizations. Our working people today enjoy a dignified and fruitful life with genuine political rights and liberties under the socialist system.

In contrast, in capitalist society where state power is in the hands of the small minority of exploiting classes, the working masses have no political rights or freedoms. The working people do not even have the most elementary right and freedom to express their political views, to say nothing of the right to participate in state power; they only have the obligation to obey the exploiting classes. The so-called liberties and rights

loudly advertised by capitalists are confined exclusively to the rulers and exploiting classes to oppress and exploit the masses of the people; the "democracy" they advocate is nothing but a means of camouflage to cover up the dictatorship of the bourgeoisie.

The superiority of our socialist system also lies in the fact that the state takes full responsibility for the material and cultural well-being of the workers, peasants and other working people.

Providing an equally abundant life for the people and systematically improving their material and cultural standards is one of the intrinsic characteristics of the socialist system. In socialist society the state serves the interests of the people and is responsible for guaranteeing the material and cultural well-being of the working people, whereas the state in exploiter society serves as a tool of oppression and exploitation against the workers and peasants.

Today everyone of working age in our country is provided with a job by the state, according to his ability and aptitude, and is rewarded according to the quantity and quality of work done. The working people also benefit from labour protection, an eight-hour workday, paid holidays, and accommodation at holiday homes and sanatoria; they are provided with safe working conditions and adequate leisure time. In particular, the working mothers enjoy tremendous benefits from the state. Besides providing jobs for all who can work, our state also assumes responsibility for those who cannot work because of old age, injuries arising from work or ill health, and for old people and children who have no other means of support. Therefore, in our country no one roams about hunting for a job or resorts to begging; all our people, young and old, are leading a happy life under the care of the state and society.

All our working people are provided with adequate food, clothing and housing by the state. Everyone in this land is given the right to be fed the moment he is born; all children

and students, from those in creches and kindergartens to students in colleges and universities, are supplied with clothing by the state. The state provides our workers and office employees with good living quarters, and the peasants also live in modern houses built by the state.

Universal free medical care has also been introduced in this country, so that all working people are free from worries about medical care. There are medical institutions and medical workers in both urban and rural areas, wherever people work and live. Through the section doctor system, an advanced system of medical service, the state looks after the health of the working people in a responsible way. Our mortality rate has now been reduced by half, and the average life span of the people increased by 26 years, compared with the pre-liberation years. Our people's age-old desire to eradicate all sorts of diseases has been realized only under our social system.

Everyone in this country is provided with adequate conditions for education and development. All our students, from primary school children to university students, now receive free education, and preschool children are happily growing up in creches and kindergartens at state and public expense. In particular, with the introduction of universal compulsory ten-year senior middle school education which gives ten years of schooling, plus one year of compulsory preschool training, our younger generation are receiving eleven years of excellent secondary general education provided by the state. This is virtually an eleven-year compulsory education, which means that the most advanced compulsory education in the world is given in this country.

The socialist state offers opportunities of learning also for the adults who were previously deprived of the right to study in the exploiter society and left far behind in terms of social culture. All our working people are learning to the best of their abilities in accordance with their desire and aptitude, in working people's middle schools, factory higher technical

schools, factory colleges and other educational institutions where they study while on the job. Indeed, our country is a "land of education", a "land of learning" where all the people study at the expense of the state.

Although they do not live in luxury like the landlords and capitalists, all our people are now living an equally good life and studying according to their desires, without having to worry about jobs, food, clothing and housing. This clearly shows that our socialist system is a system truly for the workers, farmers and all the other people.

The socialist system is the best social system, not only providing the people with a happy life today but also promising them a brighter future. Since all the fruits of labour in socialist society are used for social progress and for improving the welfare of the working people, increasing social wealth brings an ever greater abundance and an ever higher level of cultural life to the people.

However, in capitalist society the handful of exploiters grow richer with each passing day, whereas the working people making up the overwhelming majority of the population become more and more impoverished and miserable. Capitalist society is a society where "the rich get ever richer and the poor get ever poorer," the gulf between the exploiting and the exploited classes growing daily wider; it is a living hell where the working masses are impoverished and starved.

All these facts make us take a great pride in our socialist system, a people's social system truly for the workers, peasants and working intellectuals.

In our country the economy, culture, science and technology are making steady rapid progress. This is one of the great advantages of our socialist system.

Socialist society provides every condition and possibility for the rapid and continuous development of the economy. In this society a planned and balanced economic development is guaranteed by the state through a planned mobilization and

use of all the nation's manpower and material resources and through a coordinated control and guidance of production, distribution, accumulation and consumption. Also in this society the working people display a high degree of revolutionary enthusiasm and creative initiative in their productive activities, since they work for their society and collective and for their own welfare as masters of the country.

As the functions of the state as an economic organizer increase and the ideological consciousness of the working people grows in our country, the economy develops steadily at a high rate. Our industrial production grew at a high rate—an annual average of 19.1 per cent—throughout the period of industrialization from 1957 to 1970, and the difficult and complex task of socialist industrialization was creditably accomplished in a very short time, in only 14 years.

In socialist society literature and art flower brilliantly. The socialist system has placed not only state power and the means of production but also literature and art in the hands of the people, and thus opened up a highway for the development of literature and art and made them true literature and art which serve the working masses.

Today broad sections of our working people take an active part in literary and artistic activities and enjoy them to their hearts' content. Because of their popular and revolutionary character our literature and art develop into full bloom, enjoying the boundless love of the people.

It is one of the essential advantages of the socialist system that the politico-ideological unity of the masses of the people is strengthened and the relationship of comradely cooperation between the working people develops day by day.

Elimination of the exploiting classes and all sorts of exploiting systems has fundamentally changed the position and social status of the workers, peasants and working intellectuals. The establishment of the socialist system has made all our people socialist working people and wrought a radical change

in their spiritual and moral qualities. Because of their common socio-economic status and their common goals and interests, our working class, cooperative farmers and working intellectuals are firmly united politically and ideologically and closely cooperate with each other as comrades.

In capitalist society which is built on rabid selfishness and where the law of the jungle prevails, fraud and swindling are rampant and people are antagonistic and hostile to each other, and it is a common practice for them to sacrifice others for their own fame and career, comfort and pleasure. In our society, however, all its members are imbued with true comradeship, respecting, trusting and cooperating with each other on the principle of collectivism. Our working people are fully displaying the fine communist spirit of moving ahead together, the informed teaching the less informed and the advanced leading the laggards forward.

Today our society has been turned into a great, harmonious Red family where the entire people are closely united as a political force; in this great family all are working and living filled with revolutionary ardour and optimism. The entire people are united politically and ideologically and working with revolutionary zeal. This is precisely the basis of the solidity of our society and the source of our indestructible strength.

Our socialist system is displaying its superiority and unbreakable vitality more fully with each passing day.

Through their own experience our people are convinced that only the socialist system can guarantee genuine liberties and rights to the working masses and provide them with a most bountiful and happy life; they regard it as the greatest honour and pleasure to live and make revolution under this system. The people in the northern half of the Republic will not yield to anyone our socialist system which they themselves have chosen and whose superiority and great vitality have been unequivocally proved, and they are all aglow with a determination to fight on staunchly to consolidate and develop this system.

3. THE MAIN CONTENT OF THE SOCIALIST CONSTITUTION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Comrades,

The current session of the Supreme People's Assembly is going to adopt the Socialist Constitution of the DPRK with a view to consolidating the socialist system established in the northern half of the Republic and intensifying the struggle for the complete victory of socialism.

The new Socialist Constitution correctly reflects the achievements made in the socialist revolution and in building socialism in our country, defines the principles to govern activities in the political, economic and cultural fields in socialist society and the basic rights and duties of citizens, and stipulates the composition and functions of the state organs and the principles of their activities. Its purpose is to protect by law the socialist system and the dictatorship of the proletariat established in the northern half of the Republic and to serve the revolutionary cause of the working class.

The Socialist Constitution of the DPRK legislatively affirms the political victories and successes attained by our people in the revolutionary struggle in the past years and defines the character and functions of our state and the principles of its activity to meet the demand of our revolutionary development.

It proclaims the Democratic People's Republic of Korea an independent socialist state. In our country the socialist system has been established, the political and ideological unity of the

entire people resting on the worker-peasant alliance led by the working class strengthened with this system as its basis and the historic task of socialist industrialization creditably accomplished. As a result, the Government of the Republic has been strengthened and developed into a socialist power on a new socialist basis and a firm political foundation.

The sovereignty of the DPRK belongs to the workers, peasants, soldiers and working intellectuals. The Supreme People's Assembly and local people's assemblies at all levels are composed of deputies representing the workers, peasants, soldiers and working intellectuals, and they manage and operate the state organs. Our state is a genuine state of the workers and peasants in which the working masses are the masters of the country and the entire people exercise power. Therefore, our state regards it as its supreme duty to protect the interests of the workers, peasants, soldiers and working intellectuals freed from exploitation and oppression for ever.

The Government of our Republic which has inherited the glorious revolutionary traditions of our people is guided in its activity by the Juche idea which is a creative application of Marxism-Leninism in the conditions of our country, and strives to execute the lines and policies of the Workers' Party of Korea.

It is the fundamental revolutionary task of the Government of the Republic to attain the complete victory of socialism in the northern half, expel foreign forces on a nationwide scale and achieve the reunification and independence of the country on a democratic basis. For the successful implementation of this task we must, first of all, strengthen the functions and role of our Government to intensify the struggle against the hostile elements at home and abroad opposed to our socialist system, and powerfully accelerate the ideological revolution to revolutionize and working-classize all the members of society.

The Socialist Constitution makes it clear that in its activity the Government of our Republic must always carry through

the class and mass lines, give priority to political work, work with people in all matters as required by the Chongsan-ri spirit and Chongsan-ri method to rouse the conscious enthusiasm of the masses, and persistently keep up the Chollima Movement, our Party's general line in socialist construction, thus powerfully pushing ahead with both communist education and the remoulding of the working people and economic construction.

It also clearly stipulates the duties of the armed forces of the DPRK and the national defence policy based on the principle of self-defence as well as the foreign policy of the Republic based on the principles of complete equality and independence, Marxism-Leninism and proletarian internationalism.

The Socialist Constitution of the DPRK legally affirms the achievements attained by our people in the building of an independent national economy and clarifies the principles governing our socio-economic life.

The socialist ownership of the means of production is the economic foundation of the DPRK. All the economic activities of our state and the socio-economic life of the working people are thoroughly based on the principles of socialism, and the nation's economy is steadily developing at a very high rate, on the basis of the socialist relations of production which have held undivided sway in town and country. The economic power of the DPRK is firmly guaranteed by the great superiority of socialist production relations and the solid foundations of an independent national economy.

Labour is one of the most important elements which form the basis of socio-economic life in socialist society. The Socialist Constitution gives a clear definition of the character of labour, the principles governing the working life of the toiling people and the socialist principle of distribution in our society.

Socialism and communism can be built only by the creative labour of working millions. It is a solemn duty and the

greatest honour of the working people in socialist society to love labour and conscientiously participate in the communal labour for the building of socialism and communism. All our working people take part in labour, and work for the sake of their country and people and for their own welfare, displaying conscious enthusiasm and creativity.

The fruits of labour in our country are allocated entirely for national prosperity and progress and the promotion of the well-being of the working people. It is an immutable socialist principle that all the working people work according to their ability and take their share according to the quantity and quality of work done. Our state regards the steady improvement of the people's material and cultural life as its primary duty, as the supreme principle guiding its activity.

The Socialist Constitution stipulates the socialist form of economic management and the principle of state guidance of the economy in our country.

The Taean work system, under which the economy is managed in a scientific and rational way on the basis of the collective strength of the producer masses, and the new system of agricultural guidance, under which agriculture is directed by industrial methods, are the best socialist forms of economic management, whose superiority has been clearly proved in practice. In addition, the unified and the detailed planning constitute the socialist system and method of planning, which make it possible to tighten the discipline of democratic centralism in economic management and ensure a high rate of growth in production and the balanced development of the national economy. The decisive guarantee for the successful building of the socialist economy is to give full scope to the superiority of the socialist economic management systems created by our Party and guide and manage the economy to meet the requirements of these systems.

The Socialist Constitution also sets forth the economic tasks of laying firmer material and technological foundations of socialism, emancipating the working people once and for all from heavy labour, gradually turning cooperative property into all-people's property and eliminating the differences between town and country and the class distinction between workers and peasants.

The Socialist Constitution of the DPRK, on the basis of the shining achievements made by our people in the development of culture, makes clear the direction to be taken in thoroughly carrying out the cultural revolution and accelerating the building of a socialist national culture, as well as the principles that must be observed by the state in this sphere.

The basic aim of the cultural revolution in socialist society is to train all the working people to be competent builders of socialism and communism with a profound knowledge of nature and society and a high level of technology, and make our culture a true people's revolutionary culture which serves the socialist working people. To attain this aim of the cultural revolution, we must resolutely combat cultural infiltration by imperialism and any tendency to return to the past and rapidly develop education, science, literature and art and all other domains of socialist cultural construction on a sound basis.

The Socialist Constitution specifically explains the state's educational policy of carrying through the principles of socialist pedagogy in education and closely combining general education with technical education, and education with productive labour, as well as vital people's education programmes such as the introduction of compulsory ten-year senior middle school education for all our young people under working age. The Constitution also elucidates our state's revolutionary policies to develop science, literature and art, physical culture and sports and the public health service.

The Socialist Constitution of the DPRK explicitly provides for the basic rights and duties of citizens in keeping with the intrinsic nature of socialist society. In this country where there is no exploitation or oppression and where social and indiv-

idual interests are in full accord, the citizens' rights and duties are based on the collectivist principle of "One for all and all for one". The basic rights of citizens laid down in the Socialist Constitution are a legal confirmation of the democratic rights and liberties enjoyed by our people in their actual social life. The duties of citizens as stipulated in the Constitution are honourable duties that should be fulfilled by the people, as the masters of their country, in consolidating and developing the socialist system and in making their homeland richer and stronger.

The Socialist Constitution of the DPRK contains new provisions concerning the composition and functions of the state organs, and the principles of their activity to suit the actual conditions of revolutionary development.

The new state structure instituted under the Socialist Constitution will allow the workers, peasants, soldiers and working intellectuals to take a more active part in state affairs and state administration and enable state organs to serve the people's interests better and push ahead more vigorously with the revolutionary struggle and work of construction by improving their functions and role.

Our organs of power are composed of representatives of the workers, peasants, soldiers and working intellectuals; they protect the interests of the working people and fight for the people's freedom and welfare. The new state structure is built in such a way that the activities of administrative bodies are always supervised and controlled by the masses of the people. Under the new state structure, unlike the old one, the people's committees are separated from administrative bodies, and the former which are composed of representatives of the workers, peasants, soldiers and working intellectuals are to perform the function of exercising day-to-day supervision and control over the latter's activities, so that the functionaries of the administrative bodies are able to do away with bureaucracy in their work and serve the people better as their servants.

The Socialist Constitution defines the principle of democratic centralism as the basic principle of organization and activity for all state organs. Democratic centralism in their organization and activity makes it possible for them to carry out Party lines and policies in a coordinated way throughout the country and dynamically organize and mobilize the entire people for the struggle to build socialism and communism. Since they are based on democratic centralism, the organs of people's power are able to perform their functions and role satisfactorily as a powerful weapon for the building of socialism and communism.

The Socialist Constitution of the DPRK is a most popular constitution for the benefit of the workers, peasants, soldiers and working intellectuals. The new Constitution fully reflects their will and desire and thoroughly defends the working people's interests. Also, the new Constitution gives the entire people genuine freedoms and rights in all spheres of social life and legally guarantees all conditions to make them viable.

The Socialist Constitution of the DPRK is a most revolutionary constitution. Unlike those constitutions which refer mainly to the state structure, our Socialist Constitution, which lays down all the principles governing the political, economic and cultural activities in socialist society, will serve as a sharp weapon of the proletarian dictatorship to protect the policy of our Party and the Government of the Republic and firmly safeguard the gains of the socialist revolution, as a powerful means for giving a strong impetus to socialist economic construction and for revolutionizing and working-classizing the whole society by intensifying the ideological and cultural revolutions and establishing a socialist mode of life.

With the institution of the Socialist Constitution, the Government of the Republic will have a new weapon of the proletarian dictatorship and our people will be provided with a dependable legal guarantee in the struggle to achieve the complete victory of socialism and the independent, peaceful reunifica-

tion of the country. The coming into force of the Socialist Constitution in the northern half of the Republic will greatly encourage the people in south Korea who are fighting for the democratization of society and the country's independent, peaceful reunification.

With the Socialist Constitution coming into force a new change will take place in the political, economic and cultural life of our people and they will advance with redoubled vigour along the path of socialism and communism, deeply convinced of the justness of their cause.

4. OUR TASKS IN THE CONSOLIDATION AND DEVELOPMENT OF THE SOCIALIST SYSTEM

Comrades,

The Government of the Democratic People's Republic of Korea and our people are confronted today with the historic task of consolidating and developing the socialist system and attaining the complete victory of socialism, by promoting the revolutionary struggle and construction work continuously and vigorously, on the basis of the brilliant achievements gained in building a new society.

In order to achieve the complete victory of socialism we must obliterate the distinctions between towns and the countryside and the class distinction between the workers and the peasants, reinforce the material and technical foundations of socialism, markedly improve the material and cultural standards of the people, smash the insidious manoeuvres of hostile classes and do away with the corrosive influence of old ideas once and for all.

The struggle for the complete victory of socialism is a struggle for the final liquidation of the vestiges of the old society from all spheres of social life; it is a struggle to transform society on the pattern of the working class in all realms of economy and culture, ideology and morality. To attain the complete victory of socialism, therefore, the party and state of the working class must push ahead energetically with the struggle to occupy two fortresses, the material and ideological, on the way to the building of communism. We must continue to dynamically promote the technical, cultural and ideological revolutions to consolidate the socialist system and achieve the complete victory of socialism.

The basic goal of the technical revolution at the present stage is to successfully carry out its three major tasks advanced at the Fifth Congress of the Workers' Party of Korea.

These three tasks which aim to considerably narrow the disparity between heavy and light labour and between agricultural and industrial labour and free women from the heavy burden of household chores, are an honourable undertaking to guarantee the complete victory of socialism; they are a strategic task facing us in socialist construction after socialist industrialization. To fulfil these three major tasks is the basic way to release the working people from arduous labour, provide them more fully with equal conditions of working life and step up the technological reconstruction of the national economy and the development of the productive forces. Furthermore, only when these tasks are carried out, will it be possible to satisfactorily solve the question of elevating the technical and cultural standards of the working people, remoulding their ideological consciousness and eliminating the difference between town and countryside and the class distinction between workers and peasants.

Regarding the three major tasks of the technical revolution set forth by the Party as the central question in socialist economic construction at present, the Government of the Republic will strive for their successful implementation.

In order to diminish the distinction between heavy and light labour and eliminate work in excessive heat or under

other harmful conditions, we must raise the general level of mechanization, semi-automation and full-scale automation where these arduous and harmful labour conditions exist. We must also introduce the comprehensive mechanization and chemicalization of agriculture in an all-round way to reduce the difference between agricultural and industrial labour. At the same time, in order to free our women from the heavy burden of household drudgery we must provide them with adequate conditions to do kitchen and other household work quickly and easily. In order to reach these three major targets a vigorous mass movement for technological innovation must be unfolded in all fields of the national economy, bringing about a fresh upsurge in production.

We must first direct great efforts to the development of the engineering industry and bring about a renovation in this branch.

The technical revolution is, in essence, a mechanical revolution. Machinery is the decisive means for alleviating the arduous labour of people, and the productive forces are also developed by the improvement of machinery. The successful carrying out of the three major tasks of the technical revolution depends, in the final analysis, on whether or not diverse types of modern machinery and equipment are satisfactorily produced through the rapid development of the engineering industry.

For the advancement of the engineering industry priority must be given to rapidly and steadily increasing the production of machine tools. True to the Party's call, the heroic workers in this industry have recently brought about an innovation in the production of machine tools and admirably attained the goal of 30,000-unit production per annum, thus opening up bright prospects for the victorious implementation of the three major tasks of the technical revolution. Workers in the engineering industry, not resting content with this victory, must strive to continuously increase the output of machine tools

while consolidating the success achieved and, in particular, work hard to increase variety and raise quality.

A rapid increase in the production of tractors and trucks is urgently needed for the fulfilment of the three major tasks of the technical revolution and one of the most important tasks confronting the engineering industry. To successfully carry out the comprehensive mechanization of agriculture, our Party advanced a policy of providing 6-7 tractors and one truck for every 100 *chongbo* of fields in the near future. For the thorough implementation of this policy, the tractor- and truck-manufacturing centres must be expanded and reinforced and a fresh innovation be effected in their production. Thus, we should attain an annual production level of 30,000 tractors and 15,000-30,000 trucks in a year or two.

An important task now facing the engineering industry is to increase the production of heavy machines and ordered plants. We must expand and consolidate the heavy-machine production centres to manufacture greater quantities of universal drilling machines, large bulldozers and excavators and other different types of heavy machines needed for the extractive industries and big projects to harness nature, as well as large ships, and an innovation must be brought about in the production of ordered plants.

In order to introduce semi-automation and complete automation extensively in all domains of the national economy we must rapidly develop the electronics and automation industries. Different kinds of automation elements, gauges and instruments must be mass-produced by making the best use of the existing foundation of electronics and automation industries and, at the same time, many small and medium branch factories must be built up to produce automation parts and automation gauges and instruments.

In order to develop the engineering industry at a fast tempo and fully guarantee huge construction work we must markedly increase the production of different kinds of iron and

steel materials and nonferrous metals by concentrating our efforts on the advancement of the metal industry. Projects now under way to reconstruct and enlarge the Kim Chaek Iron Works, the Kangson Steel Plant and other metallurgical plants along up-to-date lines must be completed quickly to bring about a radical growth of production and, at the same time, a vigorous struggle must be waged to build another big modern metallurgical base. Along with this, the production of various nonferrous metals must be drastically augmented through the consolidation of their production centres and the maximum use of the production capacities of the smelters.

To give priority to the extractive and power industries is an important guarantee for the successful fulfilment of the three major tasks of the technical revolution and for swift progress in all realms of the national economy. In the extractive industries, geological prospecting must always be given priority and the level of mechanization and automation at coal and ore mines be elevated decisively through a dynamic technical innovation movement and consequently fresh innovations will be made in production. In the power industry, production should be raised to the maximum by taking good care of the equipment of the existing power stations and, simultaneously, the construction of new projects must be speeded up vigorously to hasten their commissioning.

An important task of the chemical industry is to further expand and consolidate the raw material base for light industry and steadily augment the production of chemical fertilizers and agricultural chemicals needed for the technical revolution in the countryside. The workers in the chemical industry have already registered great achievements in the struggle to fulfil the Six-Year Plan. In particular, the production of vinalon and vinyl chloride this year has already exceeded the level envisaged for the end of the Six-Year Plan. In the chemical industry we must work from now on to make better use of the existing production capacities and, at the same time, strive to create

up-to-date chemical industrial centres. We must also normalize the production of ammonia through gasification and markedly raise the proportion of phosphatic and microelement fertilizers in the production of chemical fertilizers. In addition, we have to build up the paper-making centres to supply sufficient paper needed for both the universal compulsory ten-year senior middle school education and the cultural revolution.

We must carry out enormous construction work for the successful implementation of the three major tasks of the technical revolution and for further progress in the national economy. In capital construction we have to concentrate our efforts on major projects which are of decisive significance in the national economic development and the improvement of the people's living conditions, in accordance with our Party's policy of concentrated construction, and thus hasten their commissioning to the maximum.

We must exert efforts to develop the building-materials and timber industries, so that the demands for different construction materials are fully met.

The rapid development of light industry is highly important in radically improving the people's living standards and freeing women from the heavy burden of household chores. The Government of the Republic must direct great efforts to the development of the textile and garment industries and, in particular, strive to modernize the daily necessities and food-processing industries. In order to streamline these latter, the engineering industry must produce large quantities of varied single-purpose machines. We must modernize the daily necessities and food-processing industries as soon as possible through a mass campaign for one machine to make another and for one factory to build another, and thus effect a great change in the production of consumer goods and food.

The cardinal task in narrowing the distinctions between agricultural and industrial labour and freeing the peasants

from arduous work is to effect an overall, comprehensive mechanization of agriculture. In farming, we have to radically raise the level of mechanization and, in particular, concentrate our efforts on the introduction of mechanization in intermediary areas, in keeping with the rapid growth of the output of tractors and trucks. We must successfully carry out the comprehensive mechanization of agriculture; this can be done by making maximum use of tractors through the reinforcements of tractor repair bases and tractor implement production centres and the extensive levelling and rezoning of fields. In addition, we must step up the chemicalization of agriculture and widely introduce advanced methods of farming and thus bring about a fresh upswing in agricultural production.

Transport plays a vital part in carrying out the three major tasks of the technical revolution. In this branch we must continually accelerate railway electrification and vigorously push forward the construction of new railway lines and harbours, so that the material and technical basis of transport is further strengthened. We must also improve the organization of transport and actively mechanize loading and unloading operations. In this way, we will fully cope with the increasing freight turnover.

The Government of the Republic must vigorously continue to push ahead with the cultural revolution alongside the technical revolution.

The urgent task facing us today in the development of culture is to train large numbers of technical personnel to meet the real demands of socialist construction, and considerably raise the working people's general cultural level and technical skills.

We must improve the work of colleges and higher specialized schools, build more institutions of higher learning and strengthen the work of night schools and correspondence courses. By doing this we must carry out without fail the decision of our Party's Fifth Congress on increasing the number of

technicians and specialists to more than a million in the coming few years.

If we are to raise the working people's cultural level and technical skills we must achieve universal compulsory ten-year senior middle school education on a high qualitative level. In order to fully guarantee this the Government of the Republic must provide all the necessary material conditions and decisively improve teachers' training to produce good teachers in great numbers. In the field of education, we must thoroughly apply the principles of socialist pedagogy so as to train all our students to be dependable builders of socialism and communism, firmly armed with our Party's revolutionary ideology and equipped with ample knowledge, high morality and strong bodies.

In order to raise the general cultural and technical levels of the working people we must further develop the spare-time educational system which comprises the working people's middle school, factory higher technical school and other schools, thus enrolling all working people in some educational establishments, so they can study on a regular basis.

In this way, we will ensure that all working people attain the level of a senior middle school graduate and master more than one technical skill.

The Government of the Republic must pursue the ideological revolution vigorously and so achieve the revolutionization and working-classization of the whole of society in accordance with the Party's consistent policy.

What is most important in revolutionizing and working-classizing the whole of society is to equip the working people firmly with our Party's monolithic idea, the Juche idea. Our Party's Juche idea is the only correct guide to the successful carrying out of the Korean revolution. Only when the working people are firmly armed with this idea can they have a genuine revolutionary world outlook and worthily discharge the tasks assigned to them in the revolutionary struggle and construc-

tion work. We should intensify the education of the working people in our Party policies and the revolutionary traditions to arm them firmly with our Party's monolithic idea, the Juche idea, thereby training all of them to be true Red fighters of the Party, communist revolutionaries, who adhere to revolutionary principles under any adversity and carry through the Party's lines and policies.

We should intensify communist education, with class education as its main content, among the working people, while arming them with the Juche idea, so that all of them are firmly armed with working-class consciousness and collectivism, ardently cherish our socialist system and devotedly work for its consolidation and development.

Steady improvement of the material and cultural standards of the people is the supreme principle governing all activities of the Government of the Republic. As in the past, the Government of the Republic will continue to make every effort to raise the people's material and cultural standards.

We must firmly adhere to the principle of ensuring a proportionate improvement of all the working people's living conditions while systematically promoting the people's welfare. The Government of the Republic should make active efforts especially to rapidly eliminate distinctions between the workers and the peasants in their living standards and between the urban and the rural population in their living conditions, while improving the lives of the people as a whole, in accordance with the policy set forth at the Fifth Congress of our Party.

We must strengthen the organs of power and improve their functions and role in order to successfully implement the revolutionary tasks confronting us at present and consolidate and develop the socialist system.

To strengthen the government of the workers and peasants, which is a powerful weapon of the revolution and construction, is an important guarantee for winning the complete victory of socialism and accomplishing the historic cause of the

working class. We must make untiring efforts to fortify the organs of power at all levels and raise their functions and role in the revolution and construction.

The organs of power from top to bottom must radically increase their role as defenders of the political rights and interests of the workers, peasants and other working people and as masters responsible for their lives. They must strive to champion the working people's political rights in every way, protect their lives and property and see to it that the people all live well. The organs of power at all levels must take in hand commerce, town administration, education, public health services and production and construction which are directly related to the people's life, and strengthen their leadership over them to provide better living conditions for the people. They should fully protect and take good care of state and communal property and resolutely fight against its misappropriation and wastage.

For our Government to be a genuine government of the workers and peasants which faithfully serves the interests of the revolution and the people, we must see to it that the monolithic ideological system of the Party is thoroughly established, above all, among the officials of the government bodies. The government officials at all levels must arm themselves more firmly with our Party's monolithic ideology, always base all their activities strictly on the Party's lines and policies, and defend and carry them through to the end under whatever difficult conditions. At the same time, they must constantly improve their method and style of work. Bureaucratism is one of the major defects that may often manifest itself in the method and style of work after the seizure of power by the working class. The government officials' bureaucratism stems from subjectivism as well as from the mistaken idea of equating their posts with old-time government offices. It divorces the Party from the masses and makes it impossible to successfully carry out revolutionary tasks. We must completely do away

with the bureaucratic work method of the functionaries of government bodies and strictly adhere to the Chongsan-ri method which is our Party's revolutionary method of work.

The Government of the Republic must continue to exert great efforts to increase the nation's defence capabilities.

Since we are building socialism in direct confrontation with US imperialism, the ringleader of world imperialism, we must not neglect the work of increasing the nation's defence capabilities even for a moment. The Government of the Republic must always be highly vigilant against the war policy and aggressive manoeuvres of the imperialists and augment in every way the nation's defence capabilities in accordance with the revolutionary principle of self-defence. We must continue to thoroughly implement the Party's military line, the main content of which is to turn the entire army into an army of cadres, modernize it, arm the entire people and fortify the whole country, and make the nation's defences impregnable so as to promptly crush any aggressive acts of the imperialists and firmly defend the security of the country and the people and our socialist gains.

In order to consolidate and develop the socialist system and hasten the final victory of our revolution, we must strengthen our solidarity with the revolutionary forces of the world while increasing our own revolutionary forces.

The principle invariably followed by the Democratic People's Republic of Korea in its foreign policy is to develop friendship and cooperation with all countries that are friendly towards our country, on the principles of equality and mutual benefit. In the future, too, we will hold fast to this principle in our foreign policy.

The Government of the Republic will do its best to achieve unity and cohesion of the socialist countries and promote friendship and cooperation with them on the principles of Marxism-Leninism and proletarian internationalism.

It will strive to expand and strengthen its diplomatic relations with the Asian, African and Latin-American countries that are fighting for freedom and national independence and to establish and promote friendly relations with more countries. We will also endeavour to establish diplomatic as well as political, economic and cultural relations, on the five principles of peaceful coexistence, with those capitalist countries which wish to have good relations with our country and which pursue unbiased policies free of an aggressive nature towards the north and south of the Korean peninsula.

The consistent policy followed by the Government of the Republic in its external activity is to fight against the US-led imperialists' policy of aggression and war and for world peace and security.

The US-led imperialists are still pursuing their policy of aggression and war in a crafty manner under ostentatious slogans of "peace" and "negotiations". Holding aloft the revolutionary banner of anti-imperialist, anti-US struggle, we will fight on resolutely to check and frustrate the imperialists' policy of aggression and war and defend the peace of the world. Furthermore, we will render active support and encouragement to the struggle of all peoples of the world against imperialism and make energetic efforts to strengthen solidarity with all the anti-imperialist forces.

The Government of the DPRK and the Korean people will always stand firmly on the side of the peoples who are fighting for peace and democracy, national independence and socialism.

In the past period the Korean citizens in Japan have achieved tremendous successes in their struggle to defend their democratic, national rights, facilitate the independent, peaceful reunification of the homeland and strengthen the international solidarity with the Japanese people and other progressive peoples of the world.

In the future, too, they should continue to struggle resolutely to develop national education and achieve the right to

return home and visit their country, united closely around Chongryon (the General Association of Korean Residents in Japan), under the unfurled banner of the Juche idea. They should also actively contribute to hastening the country's reunification, the supreme national task of our people, upholding our Party's policy of independent, peaceful reunification, and strengthen internationalist friendship with the Japanese people and other peoples of the world.

The Government of the DPRK regards it as its solemn duty to protect our nationals in Japan and all other Korean citizens abroad. The Government of the Republic will continue to fight staunchly against all unwarranted acts of infringement upon the interests and national rights of our overseas citizens, and do all it can to support and encourage their just struggle.

Comrade Deputies,

Our people have achieved great victories and successes in the struggle for the socialist revolution and socialist construction under the wise leadership of the Workers' Party of Korea, courageously overcoming manifold difficulties and harsh trials. All these brilliant victories and achievements testify to the correctness and indestructible vitality of our Party's Juche idea and demonstrate our people's inexhaustible might.

Our people are confronted today with the important task of achieving the complete victory of socialism in the northern half of the Republic and the independent peaceful reunification of the country by promoting the revolution and construction. In order to carry out this task, we must continue our vigorous struggle with unusual energy and devotion, and push forward more quickly, overcoming all difficulties.

We must thoroughly embody the new Socialist Constitution, which we are going to adopt here, in all fields of state and social life, and more powerfully push forward the revolution and construction. All our citizens must voluntarily observe the Socialist Constitution and thus bring about a great change in the revolutionary struggle and work of construction.

Our revolutionary cause is a just one, and victory is definitely ours.

No force can block the way of the Korean people who are marching forward under our Party's leadership, with state power firmly in their hands.

Let us all unite closely around the Party Central Committee and the Government of the Republic and advance valiantly towards the bright future of socialism and communism, holding high the banner of Marxism-Leninism, the revolutionary banner of the Juche idea.

SOCIALIST CONSTITUTION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

December 27, 1972

Chapter I

POLITICS

Article 1. The Democratic People's Republic of Korea is an independent socialist State representing the interests of all the Korean people.

Article 2. The Democratic People's Republic of Korea rests on the politico-ideological unity of the entire people based on the worker-peasant alliance led by the working class, on the socialist relations of production and the foundation of an independent national economy.

Article 3. The Democratic People's Republic of Korea is a revolutionary State power which has inherited the brilliant traditions formed during the glorious revolutionary struggle against the imperialist aggressors and for the liberation of the homeland and for the freedom and well-being of the people.

Article 4. The Democratic People's Republic of Korea is guided in its activity by the Juche idea of the Workers' Party of Korea, a creative application of Marxism-Leninism to the conditions of our country.

Article 5. The Democratic People's Republic of Korea strives to achieve the complete victory of socialism in the northern half, drive out foreign forces on a national scale, reunify the country peacefully on a democratic basis and attain complete national independence.

Article 6. In the Democratic People's Republic of Korea class antagonisms and all forms of exploitation and oppression of man by man have been eliminated for ever.

The State defends and protects the interests of the

workers, peasants, soldiers and working intellectuals freed from exploitation and oppression.

Article 7. The sovereignty of the Democratic People's Republic of Korea rests with the workers, peasants, soldiers and working intellectuals.

The working people exercise power through their representative organs—the Supreme People's Assembly and local People's Assemblies at all levels.

Article 8. The organs of State power at all levels from the county People's Assembly to the Supreme People's Assembly are elected on the principle of universal, equal and direct suffrage by secret ballot.

Deputies to the organs of State power at all levels are accountable to the electors for their activities.

Article 9. All State organs in the Democratic People's Republic of Korea are formed and run in accordance with the principle of democratic centralism.

Article 10. The Democratic People's Republic of Korea exercises the dictatorship of the proletariat and pursues class and mass lines.

Article 11. The State defends the socialist system against the subversive activities of hostile elements at home and abroad and revolutionizes and working-classizes the whole of society by intensifying the ideological revolution.

Article 12. The State thoroughly applies in all its work the great Chongsan-ri spirit and Chongsan-ri method to guarantee that the higher bodies help the lower, the masses' opinions are respected and their conscious enthusiasm is roused by giving priority to political work, work with people.

Article 13. The Chollima Movement in the Democratic People's Republic of Korea is the general line in the building of socialism.

The State accelerates socialist construction to the maximum by constantly developing the Chollima Movement in depth and breadth.

Article 14. The Democratic People's Republic of Korea is based on the all-people, nationwide system of defence and carries through a self-defensive military line.

It is the mission of the armed forces of the Democratic People's Republic of Korea to protect the interests of the workers, peasants and other working people, defend the socialist system and revolutionary gains and safeguard the freedom and independence of the country and peace.

Article 15. The Democratic People's Republic of Korea protects the democratic, national rights of Koreans overseas and their legitimate rights under international law.

Article 16. The Democratic People's Republic of Korea is completely equal and independent in its relations with foreign countries.

The State establishes diplomatic as well as political, economic and cultural relations with all friendly countries, on the principles of complete equality, independence, mutual respect, noninterference in each other's internal affairs and mutual benefit.

The State, in accordance with the principles of Marxism-Leninism and proletarian internationalism, unites with the socialist countries, unites with all peoples of the world opposed to imperialism and actively supports and encourages their national-liberation and revolutionary struggles.

Article 17. The law of the Democratic People's Republic of Korea reflects the will and interests of the workers, peasants and other working people, and it is consciously observed by all State organs, enterprises, social cooperative organizations and citizens.

Chapter II

ECONOMY

Article 18. In the Democratic People's Republic of Korea the means of production are owned by the State and cooperative organizations.

Article 19. The property of the State belongs to the whole people.

The State may own property without limit.

All natural resources of the country, major factories and enterprises, ports, banks, transport and communication establishments are owned solely by the State.

State property plays a leading role in the economic development of the Democratic People's Republic of Korea.

Article 20. The property of cooperative organizations is collectively owned by the working people involved in the cooperative economy.

Land, draught animals, farm implements, fishing boats, buildings, as well as small and medium factories and enterprises may be owned by cooperative organizations.

The State protects the property of cooperative organizations by law.

Article 21. The State strengthens and develops the socialist cooperative economic system and gradually transforms the property of cooperative organizations into the property of all the people on the basis of the voluntary will of the entire membership.

Article 22. Personal property is property for the personal use of the working people.

The personal property of the working people is derived from socialist distribution according to work done and from additional benefits granted by the State and society.

The products from the inhabitants' supplementary husbandry including those from the small plots of cooperative farmers are also personal property.

The State protects the working people's personal property by law and guarantees their right to inherit it.

Article 23. The State regards it as the supreme principle of its activities to steadily improve the material and cultural standards of the people.

The constantly increasing material wealth of society in the Democratic People's Republic of Korea is used entirely to promote the well-being of the working people.

Article 24. The foundation of an independent national economy in the Democratic People's Republic of Korea is the material guarantee of the prosperity and development of the country and the improvement of the people's well-being.

In the Democratic People's Republic of Korea the historic task of industrialization has been accomplished successfully.

The State strives to consolidate and develop the successes in industrialization and further strengthen the material and technical foundations of socialism.

Article 25. The State accelerates the technical revolution to eliminate the distinctions between heavy and light labour and between agricultural and industrial labour, free the working people from arduous labour and gradually narrow the difference between physical and mental labour.

Article 26. The State enhances the role of the county and strengthens its guidance and assistance to the countryside in order to eliminate the difference between town and country and class distinction between workers and peasants.

The State undertakes at its own expense the building of production facilities for the cooperative farms and modern houses in the countryside.

Article 27. The working masses are the makers of history. Socialism and communism are built by the creative labour of millions of working people.

All the working people of the country take part in labour, and work for the country and the people and for their own benefit by displaying conscious enthusiasm and creativity.

The State correctly applies the socialist principle of distribution according to the quantity and quality of work done, while constantly raising the political and ideological consciousness of the working people.

Article 28. The working day is eight hours. The State reduces the length of the working day for arduous trades and other special categories of work.

The State guarantees that working hours are fully utilized through the proper organization of labour and the strengthening of labour discipline.

Article 29. In the Democratic People's Republic of Korea the minimum age for starting work is 16 years.

The State prohibits the employment of children under working age.

Article 30. The State directs and manages the nation's economy through the Taean work system, an advanced socialist form of economic management whereby the economy is operated and managed scientifically and rationally on the basis of the collective strength of the producer masses, and through the new system of agricultural guidance whereby agricultural management is done by industrial methods.

Article 31. The national economy of the Democratic People's Republic of Korea is a planned economy.

In accordance with the laws of economic development of socialism, the State draws up and carries out the plans for the development of the national economy so that the balance of accumulation and consumption can be maintained correctly, economic construction accelerated, the people's living standards steadily raised and the nation's defence potential strengthened.

The State ensures a high rate of growth in production and a proportionate development of the national economy by implementing a policy of unified and detailed planning.

Article 32. The Democratic People's Republic of Korea compiles and implements the State budget according to the national economic development plan.

The State systematically increases its accumulation and expands and develops socialist property by intensifying the struggle for increased production and economy, and by exercising strict financial control in all fields.

Article 33. The State abolishes taxation, a hangover of the old society.

Article 34. In the Democratic People's Republic of Korea foreign trade is conducted by the State or under its supervision.

The State develops foreign trade on the principles of complete equality and mutual benefit.

The State pursues a tariff policy in order to protect the independent national economy.

Chapter III

CULTURE

Article 35. In the Democratic People's Republic of Korea all people study and a socialist national culture flourishes and develops fully.

Article 36. The Democratic People's Republic of Korea, by thoroughly carrying out the cultural revolution, trains all the working people to be builders of socialism and communism who are equipped with a profound knowledge of nature and society and a high level of culture and technology.

Article 37. The Democratic People's Republic of Korea builds

a true people's revolutionary culture which serves the socialist working people.

In building a socialist national culture, the State opposes the cultural infiltration of imperialism and the tendency to return to the past and protects the heritage of national culture and takes over and develops it in keeping with socialist reality.

Article 38. The State eliminates the way of life left over from the old society and introduces the new socialist way of life in all fields.

Article 39. The State carries into effect the principles of socialist pedagogy and brings up the rising generation to be steadfast revolutionaries who fight for society and the people, to be men of a new communist mould who are knowledgeable, virtuous and healthy.

Article 40. The State gives top priority to public education and the training of cadres for the nation and blends general education with technological education, and education with productive labour.

Article 41. The State introduces universal compulsory ten-year senior middle school education for all young people under working age.

The State grants to all pupils and students education free of charge.

Article 42. The State trains competent technicians and experts by developing the general educational system as well as different forms of part-time education for those at work.

The students of higher educational institutions and higher specialized schools are granted scholarships.

Article 43. The State gives all children a compulsory one-year preschool education.

The State brings up all children of preschool age in creches and kindergartens at State and public expense.

Article 44. The State accelerates the nation's scientific and technological progress by thoroughly establishing Juche in scientific research and strengthening creative cooperation between scientists and producers.

Article 45. The State develops a Juche-oriented, revolutionary literature and art, national in form and socialist in content.

The State encourages the creative activities of writers and artists and draws the broad masses of workers, farmers and other working people into literary and artistic activities.

Article 46. The State safeguards our language from the policy of the imperialists and their stooges aimed at destroying it, and develops it to meet present-day needs.

Article 47. The State steadily improves the physical fitness of the working people.

The State fully prepares the entire people for work and national defence by popularizing physical culture and sports and developing physical training for national defence.

Article 48. The State consolidates and develops the system of universal free medical service and pursues a policy of preventive medical care so as to protect people's lives and promote the health of the working people.

Chapter IV

FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

Article 49. In the Democratic People's Republic of Korea the rights and duties of citizens are based on the collectivist principle of "One for all and all for one".

Article 50. The State effectively guarantees genuine democratic rights and liberties as well as the material and cultural well-being of all citizens.

In the Democratic People's Republic of Korea the

rights and freedoms of citizens increase with the consolidation and development of the socialist system.

Article 51. Citizens all enjoy equal rights in the political, economic and cultural and all other spheres of State and public activity.

Article 52. All citizens who have reached the age of 17 have the right to elect and be elected, irrespective of sex, race, occupation, length of residence, property status, education, party affiliation, political views and religion.

Citizens serving in the armed forces also have the right to elect and be elected.

Those who are deprived by a Court decision of the right to vote and insane persons are denied the right to elect and be elected.

Article 53. Citizens have freedom of speech, the press, assembly, association and of demonstration.

The State guarantees conditions for the free activities of democratic political parties and social organizations.

Article 54. Citizens have freedom of religious belief and freedom of anti-religious propaganda.

Article 55. Citizens are entitled to make complaints and submit petitions.

Article 56. Citizens have the right to work.

All able-bodied citizens can choose occupations according to their desire and skills and are provided with stable jobs and working conditions.

Citizens work according to their ability and receive remuneration according to the quantity and quality of work done.

Article 57. Citizens have the right to rest. This right is ensured by the eight-hour working day, paid leave, accommodation at health resorts and holiday homes at State expense and by an ever-expanding network of cultural facilities.

Article 58. Citizens are entitled to free medical care, and persons who have lost the ability to work because of old

age, sickness or deformity, old people and children without supporter have the right to material assistance. This right is ensured by free medical care, a growing network of hospitals, sanatoria and other medical institutions, and the State social insurance and security system.

Article 59. Citizens have the right to education. This right is ensured by an advanced educational system, free compulsory education and other State educational measures for the people.

Article 60. Citizens have freedom of scientific, literary and artistic pursuits.

The State grants benefits to innovators and inventors.

Copyright and patent rights are protected by law.

Article 61. Revolutionary fighters, the families of revolutionary and patriotic martyrs, the families of People's Armymen, and disabled soldiers enjoy the special protection of the State and society.

Article 62. Women are accorded equal social status and rights with men.

The State affords special protection to mothers and children through maternity leave, shortened working hours for mothers of large families, a wide network of maternity hospitals, creches and kindergartens and other measures.

The State frees women from the heavy burden of household chores and provides every condition for them to participate in public life.

Article 63. Marriage and the family are protected by the State.

The State pays great attention to consolidating the family, the cell of society.

Article 64. Citizens are guaranteed inviolability of the person and the home and privacy of correspondence.

No citizen can be placed under arrest except by law.

Article 65. All Korean citizens in foreign lands are legally protected by the Democratic People's Republic of Korea.

Article 66. The Democratic People's Republic of Korea extends

the right of asylum to foreign citizens persecuted for fighting for peace and democracy, national independence and socialism, or for the freedom of scientific and cultural pursuits.

Article 67. Citizens must strictly observe the laws of the State and the socialist norms of life and the socialist rules of conduct.

Article 68. Citizens must display a high degree of collectivist spirit.

Citizens must cherish their collective and organization and develop the revolutionary trait of working devotedly for the good of society and the people and for the interests of the homeland and the revolution.

Article 69. It is the sacred duty and honour of citizens to work.

Citizens must voluntarily and honestly participate in work and strictly observe labour discipline and working hours.

Article 70. Citizens must take good care of State and communal property, combat all forms of misappropriation and wastage and run the nation's economy assiduously with the attitude of masters.

The property of the State and social cooperative organizations is inviolable.

Article 71. Citizens must heighten their revolutionary vigilance against the manoeuvres of the imperialists and all hostile elements opposed to our country's socialist system, and must strictly preserve State secrets.

Article 72. National defence is a supreme duty and honour for citizens.

Citizens must defend the country and serve in the army as stipulated by law.

Treason against the country and the people is the most heinous of crimes.

Those who betray the country and the people are punishable with all the severity of the law.

Chapter V

THE SUPREME PEOPLE'S ASSEMBLY

Article 73. The Supreme People's Assembly is the highest organ of State power in the Democratic People's Republic of Korea.

Legislative power is exercised exclusively by the Supreme People's Assembly.

Article 74. The Supreme People's Assembly is composed of deputies elected on the principle of universal, equal and direct suffrage by secret ballot.

Article 75. The Supreme People's Assembly is elected for a term of four years.

A new Supreme People's Assembly is elected according to the decision of the Standing Committee of the Supreme People's Assembly prior to the expiry of its term of office. When unavoidable circumstances render the election impossible, the term of office is prolonged until the election.

Article 76. The Supreme People's Assembly has the authority to:

1. adopt or amend the Constitution, laws and ordinances;

2. establish the basic principles of domestic and foreign policies of the State;

3. elect the President of the Democratic People's Republic of Korea;

4. elect or recall the Vice-Presidents of the Democratic People's Republic of Korea, and the Secretary and members of the Central People's Committee on the recommendation of the President of the Democratic People's Republic of Korea;

5. elect or recall members of the Standing Committee of the Supreme People's Assembly;

6. elect or recall the Premier of the Administration Council on the recommendation of the President of the Democratic People's Republic of Korea;

7. elect or recall the Vice-Chairmen of the National Defence Commission on the recommendation of the President of the Democratic People's Republic of Korea;

8. elect or recall the President of the Central Court and appoint or remove the Procurator General of the Central Procurator's Office;

9. approve the State plan for the development of the national economy;

10. approve the State budget;

11. decide on questions of war and peace.

Article 77. The Supreme People's Assembly holds regular and extraordinary sessions.

The regular session is convened once or twice a year by the Standing Committee of the Supreme People's Assembly.

The extraordinary session is convened when the Standing Committee of the Supreme People's Assembly deems it necessary, or at the request of a minimum of one-third of the total number of deputies.

Article 78. The Supreme People's Assembly needs more than half the total number of deputies to meet.

Article 79. The Supreme People's Assembly elects its Chairman and Vice-Chairmen.

The Chairman presides over the session.

Article 80. Items to be considered at the Supreme People's Assembly are submitted by the President of the Democratic People's Republic of Korea, the Central People's Committee, the Standing Committee of the Supreme People's Assembly and the Administration Council. Items can also be presented by deputies.

Article 81. The first session of the Supreme People's Assembly elects a Credentials Committee and on hearing the Committee's report, adopts a decision confirming the credentials of deputies.

Article 82. The laws, ordinances and decisions of the Supreme People's Assembly are adopted when more than half of the deputies present give approval by a show of hands.

The Constitution is adopted or amended with the approval of more than two-thirds of the total number of deputies to the Supreme People's Assembly.

Article 83. The Supreme People's Assembly can appoint a Budget Committee, a Bills Committee and other necessary Committees.

The Committees of the Supreme People's Assembly assist in the work of the Supreme People's Assembly.

Article 84. Deputies to the Supreme People's Assembly are guaranteed inviolability as such.

No deputy to the Supreme People's Assembly can be arrested without the consent of the Supreme People's Assembly or, when it is not in session, without the consent of its Standing Committee.

Article 85. The Standing Committee of the Supreme People's Assembly is a permanent body of the Supreme People's Assembly.

Article 86. The Standing Committee of the Supreme People's Assembly consists of the Chairman, Vice-Chairmen, Secretary and members.

The Chairman and Vice-Chairmen of the Supreme People's Assembly are concurrently the Chairman and Vice-Chairmen of its Standing Committee.

Article 87. The Standing Committee of the Supreme People's Assembly has the duties and authority to:

1. examine and decide on bills in the intervals between sessions of the Supreme People's Assembly and obtain the approval of the next session of the Supreme

People's Assembly;

2. amend current laws and ordinances when the Supreme People's Assembly is not in session and obtain the approval of the next session of the Supreme People's Assembly;

3. interpret current laws and ordinances;

4. convene the session of the Supreme People's Assembly;

5. conduct the election of deputies to the Supreme People's Assembly;

6. work with the deputies to the Supreme People's Assembly;

7. work with the Committees of the Supreme People's Assembly in the intervals between sessions of the Supreme People's Assembly;

8. organize the elections of deputies to the local People's Assemblies;

9. elect or recall the Judges and People's Assessors of the Central Court.

Article 88. The Standing Committee of the Supreme People's Assembly adopts decisions.

Chapter VI

THE PRESIDENT OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Article 89. The President of the Democratic People's Republic of Korea is the Head of State and represents State power in the Democratic People's Republic of Korea.

Article 90. The President of the Democratic People's Republic of Korea is elected by the Supreme People's Assembly.

The term of office of the President of the Democratic People's Republic of Korea is four years.

Article 91. The President of the Democratic People's Republic of Korea directly guides the Central People's Committee.

Article 92. The President of the Democratic People's Republic of Korea, when necessary, convenes and presides over meetings of the Administration Council.

Article 93. The President of the Democratic People's Republic of Korea is the supreme commander of all the armed forces of the Democratic People's Republic of Korea and the Chairman of the National Defence Commission, and commands all the armed forces of the State.

Article 94. The President of the Democratic People's Republic of Korea promulgates the laws and ordinances of the Supreme People's Assembly, the decrees of the Central People's Committee and the decisions of the Standing Committee of the Supreme People's Assembly.

The President of the Democratic People's Republic of Korea issues edicts.

Article 95. The President of the Democratic People's Republic of Korea exercises the right of granting special pardon.

Article 96. The President of the Democratic People's Republic of Korea ratifies or abrogates treaties concluded with other countries.

Article 97. The President of the Democratic People's Republic of Korea receives the letters of credence and recall of diplomatic representatives accredited by foreign states.

Article 98. The President of the Democratic People's Republic of Korea is accountable to the Supreme People's Assembly for his activities.

Article 99. The Vice-Presidents of the Democratic People's Republic of Korea assist the President in his work.

Chapter VII

THE CENTRAL PEOPLE'S COMMITTEE

Article 100. The Central People's Committee is the highest leadership organ of State power in the Democratic People's Republic of Korea.

Article 101. The Central People's Committee is headed by the President of the Democratic People's Republic of Korea.

Article 102. The Central People's Committee consists of the President and Vice-Presidents of the Democratic People's Republic of Korea and the Secretary and members of the Central People's Committee.

The term of office of the Central People's Committee is four years.

Article 103. The Central People's Committee has the duties and authority to:

1. draw up the home and foreign policies of the State;
2. direct the work of the Administration Council and the local People's Assemblies and People's Committees;
3. direct the work of judicial and procuratorial organs;
4. guide the work of national defence and State political security;
5. ensure the observance of the Constitution, the laws and ordinances of the Supreme People's Assembly, the edicts of the President of the Democratic People's Republic of Korea and the decrees, decisions and directives of the Central People's Committee, and annul the decisions and directives of State organs which contravene them;
6. establish or abolish Ministries, respective executive bodies of the Administration Council;
7. appoint or remove Vice-Premiers, Ministers and other members of the Administration Council on the recommendation of the Premier of the Administration Council;
8. appoint or recall ambassadors and ministers;
9. appoint or remove high-ranking officers and confer military titles of generals;
10. institute decorations, titles of honour, military titles and diplomatic ranks and confer decorations and titles of honour;
11. grant general amnesties;
12. institute or change administrative districts;
13. proclaim a state of war and issue orders for mobilization in case of emergency.

Article 104. The Central People's Committee adopts decrees and decisions and issues directives.

Article 105. The Central People's Committee establishes a Domestic Policy Commission, a Foreign Policy Commission, a National Defence Commission, a Justice and Security Commission, and other respective Commissions to assist it in its work.

The members of the Commissions of the Central People's Committee are appointed or removed by the Central People's Committee.

Article 106. The Central People's Committee is accountable to the Supreme People's Assembly for its activities.

Chapter VIII

THE ADMINISTRATION COUNCIL

Article 107. The Administration Council is the administrative and executive body of the highest organ of State power.

The Administration Council works under the guidance

of the President of the Democratic People's Republic of Korea and the Central People's Committee.

Article 108. The Administration Council consists of the Premier, Vice-Premiers, Ministers and other necessary members.

Article 109. The Administration Council has the duties and authority to:

1. direct the work of Ministries, organs directly under its authority and local administrative committees;

2. establish or abolish organs directly under its authority;

3. draft the State plan for the development of the national economy and adopt measures to put it into effect;

4. compile the State budget and adopt measures to implement it;

5. organize and execute the work of industry, agriculture, home and foreign trade, construction, transport, communications, land administration, municipal administration, science, education, culture, health service, etc.;

6. adopt measures to strengthen the monetary and banking system;

7. conclude treaties with foreign countries and conduct external affairs;

8. build up the people's armed forces;

9. adopt measures to maintain public order, protect the interests of the State, and safeguard the rights of citizens;

10. annul the decisions and directives of the State administrative organs which run counter to the decisions and directives of the Administration Council.

Article 110. The Administration Council convenes the Plenary Meeting and the Permanent Commission.

The Plenary Meeting consists of all members of the Administration Council. The Permanent Commission consists of the Premier, Vice-Premiers and other members of the Administration Council appointed by the Premier.

Article 111. The Plenary Meeting of the Administration Council discusses and decides on new, important problems arising in State administration.

The Permanent Commission of the Administration Council discusses and decides on matters entrusted to it by the Plenary Meeting of the Administration Council.

Article 112. The Administration Council adopts decisions and issues directives.

Article 113. The Administration Council is accountable for its activities to the Supreme People's Assembly, the President of the Democratic People's Republic of Korea and the Central People's Committee.

Article 114. The Ministry is a departmental executive body of the Administration Council.

The Ministry issues directives.

Chapter IX

THE LOCAL PEOPLE'S ASSEMBLY, PEOPLE'S COMMITTEE AND ADMINISTRATIVE COMMITTEE

Article 115. The People's Assembly of the province (or municipality directly under central authority), city (or district) and county is the local organ of State power.

Article 116. The local People's Assembly consists of deputies elected on the principle of universal, equal and direct suffrage by secret ballot.

Article 117. The term of office of the People's Assembly of the province (or municipality directly under central authority) is four years, and that of the People's Assembly of the city (or district) and county is two years.

Article 118. The local People's Assembly has the duties and authority to:

1. approve the local plan for the development of the national economy;

2. approve the local budget;

3. elect or recall the Chairman, Vice-Chairmen, Secretary and members of the People's Committee at the corresponding level;

4. elect or recall the Chairman of the Administrative Committee at the corresponding level;

5. elect or recall the Judges and People's Assessors of the Court at the corresponding level;

6. annul inappropriate decisions and directives of the People's Committee at the corresponding level and the People's Assemblies and People's Committees at the lower levels.

Article 119. The local People's Assembly convenes regular and extraordinary sessions.

The regular session is convened once or twice a year by the People's Committee at the corresponding level.

The extraordinary session is convened when the People's Committee at the corresponding level deems it necessary or at the request of a minimum of one-third of the total number of deputies.

Article 120. The local People's Assembly needs more than half the total number of deputies to meet.

Article 121. The local People's Assembly elects its Chairman.

The Chairman presides over the session.

Article 122. The local People's Assembly adopts decisions.

The decision of the local People's Assembly is announced by the Chairman of the People's Committee at the corresponding level.

Article 123. The People's Committee of the province (or municipality directly under central authority), city (or district) and county exercises the function of the local organ of State power when the People's Assembly at the corresponding level is not in session.

Article 124. The local People's Committee consists of the Chairman, Vice-Chairmen, Secretary and members.

The term of office of the local People's Committee is the same as that of the corresponding People's Assembly.

Article 125. The local People's Committee has the duties and authority to:

1. convene the session of the People's Assembly;

2. organize work for the election of deputies to the People's Assembly;

3. work with the deputies to the People's Assembly;

4. adopt measures to implement the decisions of the corresponding People's Assembly and the People's Committees at higher levels;

5. direct the work of the Administrative Committee at the corresponding level;

6. direct the work of the People's Committees at lower levels;

7. direct the work of the State institutions, enterprises and social cooperative organizations within the given area;

8. annul inappropriate decisions and directives of the Administrative Committee at the corresponding level and the People's Committees and Administrative Committees at lower levels, and suspend the implementation of inappropriate decisions of the People's Assemblies at lower levels;

9. appoint or remove the Vice-Chairmen, Secretary and members of the Administrative Committee at the corresponding level.

Article 126. The local People's Committee adopts decisions and issues directives.

Article 127. The local People's Committee is accountable for its activities to the corresponding People's Assembly and the People's Committees at higher levels.

Article 128. The Administrative Committee of the province (or municipality directly under central authority), city (or

district) and county is the administrative and executive body of the local organ of State power.

Article 129. The local Administrative Committee consists of the Chairman, Vice-Chairmen, Secretary and members.

Article 130. The local Administrative Committee has the duties and authority to:

1. organize and carry out all administrative affairs in the given area;

2. carry out the decisions and directives of the People's Assembly and People's Committee at the corresponding level and of the organs at higher levels;

3. draft the local plan for the development of the national economy and adopt measures to implement it;

4. compile the local budget and adopt measures for its implementation;

5. adopt measures to maintain public order, protect the interests of the State, and safeguard the rights of citizens in the given area;

6. guide the work of the Administrative Committees at lower levels;

7. annul inappropriate decisions and directives of the Administrative Committees at lower levels.

Article 131. The local Administrative Committee adopts decisions and issues directives.

Article 132. The local Administrative Committee is accountable for its activities to the People's Assembly and People's Committee at the corresponding level.

The local Administrative Committee is subordinate to the higher Administrative Committees and to the Administration Council.

Chapter X

THE COURT AND THE PROCURATOR'S OFFICE

Article 133. Justice is administered by the Central Court, the Court of the province (or municipality directly under central authority), the People's Court and the Special Court.

Verdict is delivered in the name oi the Democratic People's Republic of Korea.

Article 134. The Judges and People's Assessors of the Central Court are elected by the Standing Committee of the Supreme People's Assembly.

The Judges and People's Assessors of the Court of the province (or municipality directly under central authority) and the People's Court are elected by the People's Assembly at the corresponding level.

The term of office of Judges and People's Assessors is the same as that of the People's Assembly at the corresponding level.

Article 135. The Chairman and Judges of the Special Court are appointed or removed by the Central Court.

The People's Assessors of the Special Court are elected by servicemen and employees at their respective meetings.

Article 136. The functions of the Court are to:

1. protect through judicial activities the power of the workers and peasants and the socialist system established in the Democratic People's Republic of Korea, the property of the State and social cooperative organizations, personal rights as guaranteed by the Constitution, and the lives and property of citizens against all infringements;

2. ensure that all State institutions, enterprises, social

cooperative organizations and citizens strictly observe State laws and actively struggle against class enemies and all law-breakers;

3. give judgements and findings with regard to property and conduct notarial work.

Article 137. Justice is administered by the Court consisting of one Judge and two People's Assessors. In special cases there may be three Judges.

Article 138. Court cases are heard in public and the accused is guaranteed the right of defence.

Hearings may be closed to the public as stipulated by law.

Article 139. Judicial proceedings are conducted in the Korean language.

Foreign citizens may use their own language during court proceedings.

Article 140. In administering justice, the Court is independent, and judicial proceedings are carried out in strict accordance with the law.

Article 141. The Central Court is the highest judicial organ of the Democratic People's Republic of Korea.

The Central Court supervises the judicial activities of all the Courts.

Article 142. The Central Court is accountable for its activities to the Supreme People's Assembly, the President of the Democratic People's Republic of Korea and the Central People's Committee.

The Court of the province (or municipality directly under central authority) and the People's Court are accountable for their activities to their respective People's Assembly.

Article 143. Investigation and prosecution are conducted by the Central Procurator's Office, the Procurator's Offices of the province (or municipality directly under central authority),

city (or district) and county and Special Procurator's Office.

Article 144. The functions of the Procurator's Office are to:

1. ensure the strict observance of State laws by State institutions, enterprises, social cooperative organizations and by citizens;

2. ensure that decisions and directives of State organs conform with the Constitution, the laws and ordinances of the Supreme People's Assembly, the edicts of the President of the Democratic People's Republic of Korea, the decrees, decisions and directives of the Central People's Committee, the decisions of the Standing Committee of the Supreme People's Assembly and with the decisions and directives of the Administration Council;

3. expose and institute legal proceedings against criminals and offenders so as to safeguard the power of the workers and peasants and the socialist system from all forms of encroachment, and protect the property of the State and social cooperative organizations and personal rights as guaranteed by the Constitution and the lives and property of citizens.

Article 145. Investigation and prosecution are conducted under the coordinated leadership of the Central Procurator's Office, and all Procurator's Offices are subordinated to their higher offices and the Central Procurator's Office.

Procurators are appointed or removed by the Central Procurator's Office.

Article 146. The Central Procurator's Office is accountable for its activities to the Supreme People's Assembly, the President of the Democratic People's Republic of Korea and the Central People's Committee.

Chapter XI

EMBLEM, FLAG AND CAPITAL

Article 147. The national emblem of the Democratic People's Republic of Korea is adorned with the design of a grand hydroelectric power plant under the beaming light of a five-pointed red star, ovally framed with ears of rice bound with a red band bearing the inscription "The Democratic People's Republic of Korea".

Article 148. The national flag of the Democratic People's Republic of Korea has a red panel across the middle, bordered above and below in sequence by a thin white stripe and a broad blue stripe. On the red panel near the staff is depicted a five-pointed red star within a white circle.

The ratio of width to length is 1:2.

Article 149. The capital of the Democratic People's Republic of Korea is Pyongyang.

PART ONE

GENERAL REMARKS

CHAPTER I

ESTABLISHMENT OF A NEW SOCIALIST CONSTITUTION AND ITS SIGNIFICANCE

1. ADOPTION OF A NEW SOCIALIST CONSTITUTION AND PRESIDENT KIM IL SUNG'S REPORT

The new Socialist Constitution of the Republic was adopted by a unanimous vote at the First Session of the Fifth Supreme People's Assembly of the Democratic People's Republic of Korea on December 27, 1972. In the first place, I should like to turn attention to the title of the Constitution. The former Constitution of the Republic was called simply the "Constitution of the Democratic People's Republic of Korea", but the new one is expressly named the "Socialist Constitution". This sort of title is rarely to be found elsewhere. Furthermore, Article 1 explicitly stipulates that the Republic is a "socialist State". Thus, the Republic, I think, brings the socialist character of the new Constitution into marked relief, even while retaining its name which symbolizes the revolutionary traditions.

At the Supreme People's Assembly session President Kim Il Sung delivered a report on the draft Constitution. His report, *Let Us Further Strengthen the Socialist System of Our Country* (hereinafter referred to as the report on the draft Constitution), is a historic document. Divided into four parts, the report explains the inevitability and necessity for the establishment of a new Constitution and the essential characteristics and superiority of the Socialist Constitution while referring to Korea's revolutionary traditions, the founding of the Republic, subsequent struggle for the socialist revolution and socialist construction and the task to further strengthen the socialist system.

The first part opens with: "The socialist revolution is the most thoroughgoing social transformation in the history of

mankind for the abolition of the exploitation of man by man once and for all and for opening up a new path of social progress." In this part the report refers to the uninterrupted transition to the socialist revolution made in the northern half of Korea on the basis of the accomplishment of the anti-imperialist, anti-feudal democratic revolution following her liberation from the colonial yoke of Japanese imperialism, and to the pursuance of correct lines in the three stages— the stage of postwar rehabilitation and construction, the stage of laying the basis of industrialization and the stage of completing industrialization—in the course of building a socialist economy through the full-scale promotion of that revolution in spite of serious difficulties caused by the Korean war. It points out that as a result of the successful implementation of those Party lines, great achievements have already been made in all branches of heavy and light industries and agriculture, and defence power has grown strong enough to safeguard the revolutionary gains. Saying "Man is the master of nature and society and the main factor that decides everything," it stresses that the Party and Government did active work to educate and remould the people at each stage and that this work progressed successfully, bringing about a great change in the political and ideological life of the Korean people and building up an invincible revolutionary rank.

Concluding the first part, the report says that in a very short time the Republic has been converted from a backward colonial agrarian country into a socialist power with a solid independent national economy and enormous defence capacities, "has brought about a brilliant flowering and development of science and culture and achieved great success also in the work of revolutionizing and working-classizing the whole society", and "risen to a new high peak which lies on our way to socialism and communism".

In the next part the report explains in detail that the superiority of the socialist system is found in the fact that the working masses who "transform nature and society and make history" are made "masters of state power and means of production" and that the Republic guarantees material and cultural life for the working people, granting them the right to work, applying distribution according to the amount and quality of their work done, increasing state concern for their food, clothing and living, enforcing universal free medical care and free education, etc. It stresses that "the establishment of the socialist system

has made all our people socialist working people and wrought a radical change in their spiritual and moral qualities", that all social members "are imbued with true comradeship, respecting, trusting and cooperating with each other on the principle of collectivism" and that all are fully displaying the "fine communist spirit of moving ahead together".

The two parts mentioned above seem to serve as a preamble to the explanation of the contents of the new Constitution, for this is given in the third part under the heading "The Main Content of the Socialist Constitution of the Democratic People's Republic of Korea". That is what they are meant for, but it must be noted that they by no means stop there. That is to say, the first two parts have already touched upon the content of the Constitution and referred to its essence and main points. And the two parts, like the rest, are run through with the Juche idea. This point constitutes the keynote of the new Constitution. Detailed explanation of this is given elsewhere in this book.

On the basis of the foregoing two parts, the third part gives a short and clear explanation of the construction of the new Constitution and its mission. The new Constitution "correctly reflects the achievements made in the socialist revolution and in building socialism in our country, defines the principles to govern activities in the political, economic and cultural fields in socialist society and the basic rights and duties of citizens, and stipulates the composition and functions of the state organs and the principles of their activities". Its purpose is to "protect by law the socialist system and the dictatorship of the proletariat established in the northern half of the Republic and to serve the revolutionary cause of the working class".

Further, the new Constitution "proclaims the Democratic People's Republic of Korea an independent socialist state", and points out that "the sovereignty" of the Republic "belongs to the workers, peasants, soldiers and working intellectuals"; that their representatives participate as deputies in the Supreme People's Assembly and local People's Assemblies at all levels; and that they manage and operate the state organs. Particular attention should be paid to the wording that "the Government of our Republic which has inherited the glorious revolutionary traditions of our people is guided in its activity by the Juche idea which is a creative application of Marxism-Leninism in the conditions of our country, and strives to execute the lines and policies of the Workers' Party of Korea".

This expounds the spirit of the Constitution and its kernel. And in its activity the Government "always carries through the class and mass lines, gives priority to political work, work with people in all matters as required by the Chongsan-ri spirit and Chongsan-ri method to rouse the conscious enthusiasm of the masses, and persistently keeps up the Chollima Movement, our Party's general line in socialist construction".

In addition, the third part of the report refers to the problem of the ownership of the means of production and that of labour. It also refers to the Taean work system, which is the socialist system of economic management by the state, and to the new system of agricultural guidance under which agriculture is directed by industrial methods, and the methods of the unified and the detailed planning.

Further, the report touches on the economic tasks of "laying firmer material and technological foundations of socialism, emancipating the working people once and for all from heavy labour, gradually turning cooperative property into all-people's property and eliminating the differences between town and country and the class distinction between workers and peasants". I will refer to this point while giving an account of the new Constitution but, to make a remark, the latter economic task represents part of the requisite for reaching a higher phase of communism described by Marx in his *Critique of the Gotha Programme.*

Then the report dwells on the cultural revolution defined by the new Constitution, its basic aim and the ways to attain it. As for educational work, it refers to the thorough carrying out of the principles of socialist pedagogy, combination of general education with technical education, and of education with productive labour, and to the introduction of compulsory ten-year senior middle school education. It also touches on the provisions regarding science and culture, sports and public health service.

After giving a brief account of the "basic rights and duties of citizens" based on the collectivist principle of "One for all and all for one," the report goes over to the new state structure. Referring to the change in the former state structure, it says: "The people's committees are separated from administrative bodies, and the former which are composed of representatives of the workers, peasants, soldiers and working intellectuals are to perform the function of exercising day-to-day supervision and control over the latter's activities, so that the functionaries of the administrative bodies are able to do away with bureaucracy in their work and serve the people better as their servants." And the principle of democratic centralism is defined as the basic principle of organization and activity of state organs. By basing themselves on it, the organs of people's power of the Republic are able to perform their functions and role as a powerful weapon in the building of socialism and communism.

As for the specific character of the new Constitution, the report says that "unlike those constitutions which refer mainly to the state structure", it lays down "all the principles governing the political, economic and cultural activities in socialist society". The constitutions referred to here mean just those of bourgeois states and, in some respects, those of some socialist countries. And the report stresses that this most popular and revolutionary Constitution will "greatly encourage the people in south Korea who are fighting for...the country's independent, peaceful reunification" and that with its enforcement "a new change will take place in the political, economic and cultural life of our people and they will advance with redoubled vigour along the path of socialism and communism...."

In the fourth part entitled "Our Tasks in the Consolidation and Development of the Socialist System" the report points out that the Government of the Republic and the people are confronted today with the task of fighting for the complete victory of socialism; it emphasizes the need to promote the three revolutions, technical, cultural and ideological, and, particularly, to thoroughly carry out the three major tasks of the technical revolution advanced at the Fifth Congress of the Party, and to equip the working people with the Party's monolithic ideology, the Juche idea and fully establish the Party's monolithic ideological system in order to revolutionize and working-classize the entire society.

It must be pointed out here that the report on the draft Constitution itself is a very unique and historic document, although this book will give a detailed account of the creativity, originality and characteristics expressed plainly in the text of the Constitution. Its characteristic is something without parallel in any former reports on the constitutions. In other

words, the report deals with Korea's revolutionary traditions and the achievements brought about by Korea's superior socialism through powerful onward march and, at the same time, reassuringly says in words of encouragement that the masses of the people in the Republic will advance vigorously in keeping with the guiding principles and lines contained in this Constitution. As for the preceding reports on the constitutions, it can be said that they are all confined basically to explaining why and how the constitutions were established and what they defined.[1] It is the recent report on the draft Socialist Constitution of the Republic that broke that custom and adopted a new form. It should be called an immortal classic of President Kim Il Sung.

Note

I. The report on the draft Constitution of the Soviet Union in 1936, for example, has the following content: 1) Formation of the Constitution Commission and Its Task; 2) Changes in the Life of the USSR in the Period from 1924 to 1936; 3) Principal Specific Features of the Draft Constitution; 4) Bourgeois Criticism of the Draft Constitution; 5) Amendments and Addenda to the Draft Constitution; 6) The Significance of the New Constitution of the USSR. Later, this report became a typical example of reports on draft constitutions. The second part of the report, which deals with the changes in the class composition of the Soviet Union, is of great importance also from a theoretical point of view. The report on the draft Constitution of the People's Republic of China in 1954 comprises: 1) Draft Constitution of the People's Republic of China as the Sum Total of Historical Experiences; 2) Some Explanations of the Basic Contents of the Draft Constitution; 3) Suggestions Made for the Draft Constitution in the Course of Nationwide Discussion; 4) Conclusion.

2. THE COURSE OF ESTABLISHING THE NEW CONSTITUTION; THE FORMATION OF CENTRAL GOVERNMENT ORGANS

In its first part President Kim Il Sung's report explains briefly the course of establishment of the new Socialist Constitution as follows:

"Our realities today urgently demand the establishment of a new Socialist Constitution to consolidate legally the tremendous achievements of our people in the socialist revolution and building of socialism and to lay down the principles of the political, economic and cultural features of socialist society. Therefore, we have formed a Commission for the Drafting of the Socialist Constitution of the DPRK and have prepared a draft Socialist Constitution. The draft Socialist Constitution of the DPRK was discussed at a plenary meeting of the Central Committee of the Workers' Party of Korea and considered at the Central Committee of the Democratic Front for the Reunification of the Fatherland before it was submitted to the Supreme People's Assembly."

The reports on the draft constitutions of socialist countries usually give a detailed description of the course of their establishment, such as the setting up of a drafting commission, subsequent deliberation and public discussion. But it is very much simplified in the report on the Socialist Constitution. Here are facts illustrative of this. In President Kim Il Sung's report to the Fifth Congress of the Workers' Party of Korea held in November 1970, there is no mention of the establishment of a new constitution, nor do the resolutions of the Congress deal with it. Therefore, it is obvious that the resolution on the establishment of the new Constitution was adopted and the Commission for the Drafting of the Constitution organized after the Congress.

The draft Constitution was made public through the report on the Fifth Plenary Meeting of the Fifth Central Committee of the Workers' Party of Korea held from October 23 to 26, 1972. This was an enlarged plenary meeting and was attended by the members and alternate members of the Party Central Committee and, hearers in observer capacity, by functionaries of the Party Central Committee, the central committees of the working people's organizations, ministerial and central bodies, local Party organizations and government organs and economic, scientific and cultural institutions and cadres of the People's Army. The first item on the agenda was "On the Socialist Constitution of the Democratic People's Republic of Korea". General Secretary Kim Il Sung of the Central Committee of the Workers' Party of Korea made an important speech concerning the draft of the Constitution on the

agenda. Many participants in the plenary meeting made speeches. General Secretary Kim Il Sung made an important concluding speech. Then the plenary meeting stressed: "The draft of the Constitution is so well prepared as to legally consolidate the tremendous achievements of our Party and people in the socialist revolution and socialist construction, and it also lays down the most revolutionary, correct principles for all spheres, political, economic, cultural and military, in accordance with our Party's theory and policy on the building of socialism and communism, so that it can be a mighty legal guarantee for further consolidation of our victories already scored and for vigorous promotion of the complete triumph of socialism and the historic cause of national reunification". Further it pointed out: "The draft of the Constitution, which is pervaded with the great Juche idea, is a great Marxist-Leninist literature distinguished by profound theories concerning the building of socialism and communism."

And it expressed full support to the draft Constitution and decided with unanimous approval to submit it to the Supreme People's Assembly and the Central Committee of the Democratic Front for the Reunification of the Fatherland for their consideration.

The Commission for the Drafting of the Constitution must have been formed prior to that date, but here it is impossible to make detailed mention of it, for there have been no informations open to the public. In addition, no publicity was given to the draft nor was it placed for public discussion, unlike the case with the 1948 Constitution which is referred to elsewhere in this book. The drafting and its deliberation seem to have proceeded in a concentric way within a comparatively short period. There is no doubt that President Kim Il Sung gave personal guidance in drafting the Constitution and, I am told, it was "conceived and written by himself". This is indicative of the fact that the leader of the Korean socialist revolution took up his pen in person to put the basic structure of the new Constitution and the contents of its major articles in concrete terms. It is worthy of attention when compared with Lenin's law-making role in the October Revolution. The draft of the Constitution thus prepared was literally a "new, original one which fully embodied the Juche idea in respect of its whole system and contents". It was considered at the 57th meeting of the Central Committee of the Democratic Front for the Re-

unification of the Fatherland on December 15, the same year. The resolution adopted unanimously at this meeting points out: The draft "is so excellently prepared that it can firmly fix by law the worker-peasant power consolidated by the immortal Juche idea and under the wise guidance of the leader, and the brilliant exploits and achievements made by that revolutionary power in the socialist revolution and socialist construction, in all the political, economic, cultural and military spheres, and afford a legal guarantee for vigorously promoting the complete victory of socialism in our country and the historic cause of the independent reunification of our fatherland". It emphasizes the need to "give a wholehearted support to the Socialist Constitution (draft) of the DPRK, which will serve as a radiant monumental law literature and, after its adoption, to widely explain and bring it home to the entire people to induce them to observe it to the letter". The Democratic Front for the Reunification of the Fatherland was formed in September 1949 for the purpose of national reunification. It is a united front organization under the leadership of the Workers' Party of Korea. At present, it involves two other political parties—the Korean Democratic Party and the Religious Chondoist Chongu Party—and the General Federation of Trade Unions of Korea, the League of Socialist Working Youth of Korea, the Union of Agricultural Working People of Korea, the Korean Women's Union, etc.

Prior to the First Session of the Fifth Supreme People's Assembly, preliminary meetings were held on December 22, where the draft Constitution was discussed before it was submitted to the main session. Those preliminary meetings took place in separate provinces, and the deputies elected from each province had enough time to deliberate the draft Constitution article by article.

In establishing the constitutions socialist countries usually put them to public discussion, and the Republic, too, held it for the draft of the Constitution in 1948. But the new Constitution dispensed with it. Considering the whole process, there must have been many reasons which made it necessary to establish it at an early date.

The adoption of the new Constitution at the Supreme People's Assembly was followed by the election of the central state officials in accordance with Article 76 of the new Constitution, and by a new line-up for different organs of the Republic. In

the first place, Comrade Kim Il Sung was elected President of the Republic and, on his recommendation, two Vice-Presidents, Choi Yong Kun, former President of the Presidium of the Supreme People's Assembly (belonging to the Workers' Party of Korea), and Kang Ryang Uk, Chairman of the Democratic Party of Korea, were elected. This was followed by the election of the Secretary and members (25) of the Central People's Committee and the Vice-Chairmen of the National Defence Commission. Also, on the recommendation of the President, Kim Il, former First Vice-Premier of the Cabinet, was elected Premier of the Administration Council. Furthermore, the Supreme People's Assembly elected Chairman, Vice-Chairmen (2) and members (16) of its Standing Committee and President of the Central Court, and appointed the Procurator General of the Central Procurator's Office.

Then, under Article 103 of the new Constitution the Central People's Committee appointed six Vice-Premiers, 22 Ministers and other members of the Council (of whom five are concurrently Vice-Premiers) on the recommendation of the Premier of the Administration Council. Thus a new line-up was formed of the highest organ and the central Government of the Republic, and the Republic started functioning in accordance with the new Constitution.

3. POSITION OF THE REPUBLIC'S NEW CONSTITUTION AMONG THE AMENDED CONSTITUTIONS OF SOCIALIST COUNTRIES AND ITS SPECIFIC CHARACTER

Here, let us study from a comparative viewpoint what position the establishment of the new Constitution of the Republic holds in the process of the development of the constitutions of world socialist countries. Each socialist country has a history of constitutional development. Many of the constitutions which were framed following the establishment of socialist state power have undergone a drastic revision (total amendment in most cases) before becoming present ones. This has been a conspicuous phenomenon these days.

The first socialist constitution is, of course, the 1918 Constitution of the Russian Soviet Republic (the Russian Soviet Federated Socialist Republic) which was born of the October Revolution. Later, the Ukraine and other Soviet Republics established their constitutions respectively. At the end of 1922 the Soviet Union (the Union of Soviet Socialist Republics) was formed and its Constitution was established at the beginning of 1924. In China, the Chinese People's Political Consultative Conference adopted a joint programme just before the founding of the state, and it played the part of the first provisional constitution of China. But the formal one was established five years later. The following table illustrates the dates of establishment and amendment (of substantial significance, excluding a partial and minor revision) of the constitutions of the socialist countries on a regional basis and in the order of their founding.

	Name of Country	Founding Date of State	First Constitution	Subsequent Amendment
Eurasia	Russian Soviet Federated Socialist Republic	Nov. 8, 1917	Jul. 10, 1918	May 1925 and Jan. 1937
	Union of Soviet Socialist Republics	Dec. 30, 1922	Jan. 31, 1924	Dec. 5, 1936
Asia	Mongolian People's Republic	Jun. 18, 1924	Nov. 26, 1924	Jun. 30, 1940 and Jul. 6, 1960
	Democratic Republic of Viet Nam	Sept. 2, 1945	Sept. 2, 1945	Dec. 31, 1959
	Democratic People's Republic of Korea	Sept. 9, 1948	Sept. 8, 1948	Dec. 27, 1972
	People's Republic of China	Oct. 1, 1949	Sept. 29, 1949 (Joint Programme) Sept. 20, 1954 (Constitution)	(Jan. 17, 1975.—*Ed.*)
Eastern Europe	Albanian People's Republic	May 24, 1944	Mar. 14, 1946	Jul. 4, 1950
	People's Republic of Poland	Jul. 22, 1944	Jul. 22, 1952	
	People's Republic of Bulgaria	Sept. 9, 1944	Dec. 4, 1947	May 16, 1971
	* Socialist Republic of Romania	Mar. 6, 1945 Dec. 30, 1947	Apr. 1948	Sept. 24, 1952 and Aug. 21, 1965
	Hungarian People's Republic	Apr. 4, 1945	Aug. 18, 1949	Apr. 19, 1972
	* Socialist Republic of Czechoslovakia	May 9, 1945	May 9, 1948	Jul. 21, 1960 and the enforcement of federalism on Oct. 27, 1968 by constitutional law
	German Democratic Republic	Oct. 7, 1949	Oct. 7, 1949	Apr. 8, 1968
Central America	Republic of Cuba	Jan. 1, 1959	Feb. 7, 1959	The declaration of socialism on May 1, 1961

The asterisk in the above table indicates that the country was renamed "socialist state" according to the last amendment of its constitution. Until then it had been called People's Republic or simply Republic. The Democratic People's Republic of Korea did not change its name, and yet it is the only country which has prefixed "socialist" to the title of its Constitution as mentioned above.

As the above table shows, all countries but the Russian Soviet Republic which was founded towards the end of World War I (there were also other Soviet Republics), and the Soviet Union which was formed later, and Mongolia which started a people's revolution in November 1921 under the impact of the October Revolution and became a People's Republic in June 1924, were founded towards the end of World War II or after that. Among them, the four states—Viet Nam, Korea, China and Germany—established their first constitutions (or provisional constitutions) on the eve of their state founding or simultaneously with it. In Korea and China the constitutions were framed just before the state founding. Many of the East European states, except Germany, established their first constitutions many years after their founding. In Poland, in particular, it was framed eight years after the founding of her state. During this period she retained the Constitution which had been enforced at the time of the bourgeois republic. (She abolished the Constitution which had been revised for the worse by the subsequent reactionary ruling system and been in force just before liberation.)

The constitutions of the socialist states in the first days of their founding show the individuality of each state reflecting its historical and social conditions, and they have many characteristic features.[1] Taking them as a whole, however, they have something in common in that they were strongly influenced by the 1936 Constitution of the Soviet Union. The degree of its direct influence, of course, differs according to countries: Some of them took over even the division of its chapters and contents in the main; some others were substantially affected by its purpose and spirit, though they were much different from it in form. The Constitution of the Democratic People's Republic of Korea in 1948, as referred to in other pages of this book, was unique in that it made clear its immediate task while setting forth the main task for the period of transition to socialism and legally fixed the principles and state functions of

the Republic which was advancing on the basis of the united front. But it was also influenced by the Constitution of the Soviet Union.

A few words in explanation of the Constitution of the Soviet Union in 1936. Its first constitution established at the beginning of 1924 was a simple one, which mainly defined the state structure of the Soviet Union and each Republic forming the Union and the demarcation of jurisdiction between them and did not prescribe for the elementary principles of socialism and the basic rights and duties of the citizens, like that of each Republic. But the Constitution of the Soviet Union in 1936 was a constitutional code which includes all of these and has well-knit and well-defined chapters ranging from the first chapter specifying the "social structure" to the rest of the chapters defining the organs of state power and state administration and the basic rights and duties of the citizens of the Soviet Union and its member Republics. In particular, if the first 1918 code of the Russian Republic, as the law for the period of the multiform economic system, that is, the earliest period of transition right after the establishment of the Soviet power, puts the main stress on the prospect of the socialist revolution, the Constitution in 1936 legally reflects and fixes the achievements made in the basic development of the productive and class relations of society as a result of the fulfilment of the First Five-Year Plan and the completion of agricultural collectivization. Therefore, it is natural that it afforded an example of constitution for other socialist countries later.

However, what they call the People's Democracies established after the Second World War have characteristics distinguishing them from a Soviet state. They were liberated from the Nazi or Japanese militarist oppression thanks to the resistance struggles of their peoples and to the armed forces of the Red Army of the Soviet Union or won liberation by their own efforts. To attain this liberation, an anti-Nazi or anti-Japanese united front (it goes by various names, such as popular front, national front and fatherland front) was formed, embracing the broadest segments of classes and social strata and uniting their strength. It was the same in Asia and East Europe.[2] What is more, the constitutions established at first in these states reflect the social conditions under the multiform economic system peculiar to the aforesaid early period of transi-

tion. And it is natural that they also reflect the characteristics of the revolution in each country.

The question is when and how the socialist states amended their first constitutions established after their founding. As can be seen in the above table, constitutional amendment showed a general trend in many countries in the 1960's. This coincides with the period of the universal change of world-historic significance.[3] Total amendment was successively made to the former constitutions. In Asia it was done by Viet Nam in 1959 and Mongolia in 1960; in East Europe, by Czechoslovakia in 1960, Romania in 1965, Germany in 1968 and Bulgaria in 1971. Some of them changed the names of their countries into Socialist Republics, as mentioned above, or some others only stipulated textually that theirs were socialist states. The amendment of the Constitution of Hungary in 1972 belongs to the latter although it was a partial one in form. It is important in that respect.

In this trend to constitutional amendment since 1960 the recently established new Constitution of the Republic is the last and latest one.

What is the cause of this general trend, that is, the movement of total amendment of the first constitutions following the founding of the states? It is ascribable, above all, to the fact that after the passage of more than one or two decades since the establishment of their constitutions the socialist revolution and construction had made a marked progress and that the former form of fundamental state law did not agree in many respects with the realities of developed socialist society. The above-mentioned report of President Kim Il Sung says: "Twenty-four years have elapsed since the Korean people embarked on the creation of a new society and a new life under the banner of the Republic, with a genuine people's Constitution, the first of its kind in their history.... During these years there has really been a great transformation in this country and epoch-making changes have taken place in the political, economic and cultural spheres of our people's life." It is exactly what he said. There can be no such an instance of "great transformation" as has taken place in the Republic. And each country made a tremendous social progress as a result of socialist construction. This has been reflected and fixed in each country's new constitution.

The new socialist constitutions have some common featur-

es. First, they have legally confirmed that theirs are socialist states. Some even renamed their country a "Socialist Republic". In the Democratic People's Republic of Korea the name of the country which is based on its revolutionary traditions was not changed, but the Constitution was renamed "Socialist Constitution", as I mentioned above. In the former constitutions of those countries which have changed their names are found such expressions as the "state of the working people in town and country", a "worker-peasant state", or a "people's democracy".

Second, the new constitutions state definitely that the socialist relations of production have become predominant in the society concerned and that its class relations have undergone a radical change. It is pointed out in their texts that the foundation of a socialist society has already been laid there and that, on this basis, the national economy and culture have been in progress. The former constitutions of the socialist countries contained provisions defining the policies of construction and transformation, because their society was still at the early stage of socialist construction and the branches requiring socialist transformation still held a considerable proportion in the composition of the national economy. Now that the socialist ownership of the means of production has predominated overwhelmingly and the socialist economic form established complete sway, this reality has been reflected in the fundamental law. Only the way of understanding this reality differs among countries. Some stipulate that "the principal question—transition from capitalism to socialism—has already been solved", and some others state that they have buckled down to the task of all-out construction of socialism. The new Constitution points out that in the Democratic People's Republic of Korea "class antagonisms and all forms of exploitation and oppression of man by man have been eliminated for ever" (the first paragraph, Article 6), that "the historic task of industrialization has been accomplished successfully" (the second paragraph, Article 24) and that "all people study and a socialist national culture flourishes and develops fully" (Article 35). Third, the constitutions set forth the tasks of the state or the goal it intends to reach in the future. This is inserted in their preambles or texts. Specified in them are: "Transition to communism", "creation of requisites for transition to communism", "realization of socialism"—

these signify overall construction of socialism and its completion—, "the acceleration of evolution from socialist to communist society", "perfection of socialist construction", etc. The new Constitution of the Republic has provisions specifying a more concrete and definite course to communism than the former: "To eliminate the distinctions between heavy and light labour and between agricultural and industrial labour, free the working people from arduous labour and gradually narrow the difference between physical and mental labour" (Article 25) and "to eliminate the difference between town and country and class distinction between workers and peasants" (Article 26).

To enact in a constitution such articles that assume the character of a programme was considered wrong and rejected at the time of the establishment of the 1936 Constitution of the Soviet Union.[4] Since the 1960's the new constitutions of many countries have cast aside this formality and made a step forward in elucidating the future course. This is worthy of attention. However, provisions similar to those of the new Constitution of the Republic can be found in none of them.

Fourth, all the former constitutions of the socialist countries contained, from the first, provisions concerning socialist principles which are found in the texts of the Constitution of Soviet Russia and the 1936 Constitution of the Soviet Union. And the new constitutions have increased and amplified them in general. In the Constitution of the Soviet Union its Chapter I is entitled Social Structure (12 articles), but the title, of course, varies with countries. There are 18 articles under "Social Order" (Czechoslovakia); 16 under "The Socialist Republic of Romania" (Romania, but two of them are others); eight under "Political Basis" and 10 under "Economic Basis, Science, Education and Culture" (Germany); 12 under "Socio-Political Structure" and 21 under "Socio-Economic Structure" (Bulgaria); and so on. These articles show an increase over those in the former constitutions, but the case of Germany gives an impression that they have been somewhat curtailed, for its 1949 Constitution had 48 articles including those stipulating the rights and duties of citizens.

The new Constitution of the Republic shows epochal progress in this respect. It has the separate chapters—"Politics", "Economy" and "Culture"—consisting of 48 articles, and each article is rich in content. This is pointed out with particular emphasis in the section of the aforesaid President Kim Il Sung's

report explaining the characteristic features of the new Constitution of the Republic.

As for the state structure, many changes and progress can be observed in the constitutions of different countries, and this will be explained in other chapter.

Notes

1. The constitutions of three countries—the Democratic Republic of Viet Nam, the Socialist Republic of Czechoslovakia and the Democratic Republic of Germany—are distinguishing among others. At that time Viet Nam had not yet entered the stage of socialism, and Czechoslovakia and Germany were greatly influenced by their own historical traditions.

2. In the People's Republic of China, in particular, its first provisional Constitution was the joint programme of the Chinese People's Political Consultative Conference, an organizational form of the united front of people's democracy.

3. The year 1960 marked an epoch in the world history as Nkrumah, ex-President of Ghana, predicted (at the First Pan-African Congress, December 1958) that it would "mark a beginning in ending colonialism in Africa". To take only the number of the UN member nations for example, it increased by 17 that year. (All but one were from Africa.) Later, colonial countries realized their aspiration for national independence one after another and, as a result, the so-called third world has come to hold an immovable position in the United Nations. The "third world" is the phrase originating in France; it comprises generally former colonial countries, dependent nations, which, as the newly-rising countries after their independence, seek for progress and aspire after socialism. (For example, Article 10 of the November 1972 Constitution of the People's Republic of Bangladesh stipulates for socialism and freedom from exploitation.) But the road to that goal is rough. And I think it is natural that those countries make a model of the independent, self-supporting and self-defensive Democratic People's Republic of Korea which has made a leap from a colonial status to the level of an advanced socialist state, and that they are captivated by the Juche idea of its leader, President Kim Il Sung.

4. In his report on the draft Constitution, Stalin said: "...a constitution must not be confused with a programme.... Whereas a programme speaks of that which does not yet exist, of that which has yet to be achieved and won in the future, a constitution, on the contrary, must speak of that which already exists, of that which has already been achieved and won now, at the present time. A program deals mainly with the future, a constitution with the present." The first constitutions framed after the Second World War generally followed this principle, with the exception of China's joint programme which played the part of the provisional Constitution and its Constitution in 1954 (the Preamble).

4. SIGNIFICANCE OF THE ESTABLISHMENT OF THE NEW CONSTITUTION AND THE INSTITUTION OF THE CONSTITUTION MEMORIAL DAY

I will refer to the contents of the new Constitution and its characteristic features in some part of this book. Here, I am going to quote once again from President Kim Il Sung's report on the draft of the Constitution, and clarify the national and international significance of the new Constitution. He said:

"The new Socialist Constitution's purpose is to protect by law the socialist system and the dictatorship of the proletariat established in the northern half of the Republic and to serve the revolutionary cause of the working class.

"The Socialist Constitution of the DPRK legislatively affirms the political victories and successes attained by our people in the revolutionary struggle in the past years and defines the character and functions of our state and the principles of its activity to meet the demand of our revolutionary development."

"With the institution of the Socialist Constitution, the Government of the Republic will have a new weapon of the proletarian dictatorship and our people will be provided with a dependable legal guarantee in the struggle to achieve the complete victory of socialism and the independent, peaceful reunification of the country. The coming into force of the Socialist Constitution in the northern half of the Republic will greatly encourage the people in south Korea who are fighting for the democratization of society and the country's independent, peaceful reunification."

"Our people are confronted today with the important task of achieving the complete victory of socialism in the northern

half of the Republic and the independent, peaceful reunification of the country by promoting the revolution and construction. In order to carry out this task, we must continue our vigorous struggle with unusual energy and devotion, and push forward more quickly, overcoming all difficulties."

The report further points out: "The adoption of the Socialist Constitution of the DPRK at the current session of the Supreme People's Assembly will be a historic event in our people's revolutionary struggle and work of construction."

These are quotations from President Kim Il Sung's report on the draft of the Constitution. Here I will adduce another quotation from the lecture given at a report meeting held in Pyongyang in commemoration of the first anniversary of the promulgation of the new Constitution, because it touches upon the significance. It reads:

"Unlike all the former constitutions which fixed only the achievements in the extremely limited sphere related to the political basis and economic foundation of a state, the new Constitution has confirmed by law a wide range of abundant achievements and successes made by our people in the revolution and construction, and it has thus become a source of the entire Korean people's high revolutionary pride in and self-respect for their glorious exploits in the struggle and of their strength and confidence in victory and serves as a bright beacon illuminating the future road of struggle and victory for all the combatants and people fighting for peace, democracy, national independence and socialism." In this quotation are stressed the characteristic features of the new Constitution and the significance it has as an indicator for the Korean people and peoples of the so-called third world. The lecture also points out: "Our Socialist Constitution, which stipulates in an allround and concrete way for all the principles to be abided by in the political, economic and cultural fields in socialist society, is free from the survivals of the outmoded structure of a constitution, and its whole aspect is fully adapted to the intrinsic nature of the socialist system and requirement of the law governing the building of socialism. Therefore, this marks a new turn in deciding the orientation of a constitution and signifies a radical change in defining its subject matters." In other words, it constitutes a "brilliant exploit which has opened up a new stage in the development of the working class' revolutionary conception of law and a historic event of epochal significance

in the building of socialism and communism". This tells that the new Socialist Constitution of Korea has also marked another stage of development even as the constitution of a socialist state.

As the establishment of the new Constitution was an event of epoch-making significance in the long history of the Korean people, in the revolutionary development of Korea and in her social and political life, the Central People's Committee enacted a decree on December 24, 1973, instituting the "Memorial Day of the Socialist Constitution of the Democratic People's Republic of Korea". The 27th of December every year is appointed as the "Constitution Memorial Day" and made a national holiday. This gives occasion for all the state organs, enterprises, cooperative farms and citizens to intensify their study, explanation and propagation of the Socialist Constitution of the Republic and strive always to embody it thoroughly in all fields of state and social life.

CHAPTER II

REVOLUTIONARY TRADITIONS AND OUTLINE HISTORY OF CONSTITUTION

1. THE ORIGIN OF THE REVOLUTIONARY LAW IN THE PERIOD OF THE ANTI-JAPANESE GUERRILLA STRUGGLE AND REVOLUTIONARY TRADITIONS

As President Kim Il Sung said in the above-mentioned report on the draft Constitution, and also, as it is clearly provided for in the new Constitution, the Republic "is a revolutionary State power which has inherited the brilliant traditions formed during the glorious revolutionary struggle against the imperialist aggressors and for the liberation of the homeland and for the freedom and well-being of the people" (Artiole 3). It must be specially noted that these revolutionary traditions have become an important guideline in all the politics, all the activities of the Republic today, rendering it great vitality. Accordingly, the revolutionary traditions play a very great role also for the state and in the domain of law. We should first of all know how those revolutionary traditions were formed and how the rich experience was gained and the great exploits performed in the course of the revolutionary struggle.

Modern Japan started to invade Korea early. In 1910 she at last reduced Korea to a colony (Treaty of Annexation of Korea to Japan) and placed the Korean people in a subordinate position. It was as good as the domination of slaves. It is generally known that many Koreans were forced to come to Japan for slave labour during the Pacific War. **"Where there is oppression, there is bound to be resistance."** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. IV, p. 540.) The Korean people waged an indomitable anti-Japanese independence struggle. In March 1919, a nationwide March First Popular Uprising (Independence Movement) broke out. But, this movement could not take a well-organized form based on the principle of Marxism-Leninism until the anti-Japanese revolutionary organization was established between the end of the 1920's and the beginning of the 1930's, the organization which carried on armed struggle under the command of General Kim Il Sung in different parts of East Manchuria, employing the guerrilla warfare as the main form of struggle. (See Chapters I and II of *KIM IL SUNG, Short Biography,* Eng. ed., Vol. I.)

In September 1931, the Japanese militarists occupied by force the northeast region of China, set up puppet "Manchoukuo" and established colonial rule there as in Korea. Under these circumstances, the anti-Japanese struggle had to be waged under indescribably fierce and difficult conditions, and it suffered many setbacks due to erroneous leadership at that time. In the first half of the 1930's, young General Kim Il Sung corrected the error and laid down a correct line based on the Juche idea, and it was from that time that the anti-Japanese guerrilla struggle followed the road of steady development. The means for it was to establish a united front and a revolutionary guerrilla base. This forms the root of the revolutionary traditions of Korea.

The main theatre of the guerrilla struggle at that time was the area called Chientao (present autonomous district of Koreans in Yenpien, China) on the left bank of the Tumangang River flowing along the borders of Korea and China. Many Koreans lived there from old times.

The General said as follows: **"We must build secret bases in the form of semi-guerrilla zones by creating a network of secret camps in the large forests on Mt. Paekdu-san for the Korean People's Revolutionary Army to carry on its activities and organizing the people in the surrounding wide areas. Thus we will set up bastions of revolution invisible to the enemy."** (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. I, p. 170.) Mt. Paekdu-san soaring high on the borders is the highest mountain in Korea. Its graceful figure, along with the image of General Kim Il Sung, is reflected in the works of art including mural paintings to be found in different parts of the Republic, because it is regarded as a symbol of the holy place of revolution.

Until General Kim Il Sung put forward his correct strategic policy the revolutionary struggle for national liberation had been under the leadership of the dogmatists and flunkeyists

who committed ultra-Left deviations. This must be inevitable to the national struggle in a colony which is wanting the tradition of Marxism-Leninism and the revolutionary experience based on it. They did not make a deep analysis of the reality of the Korean national revolution but directly followed the line of the October Revolution and the guidance of the Comintern as they are. They uncritically copied the form of revolutionary government of other countries and demanded the establishment of a Soviet government and the immediate enforcement of socialist measures. As can be seen, theirs were almost unrealistic policies. This led to the expansion of unnecessary losses and sacrifices, hindering the concentration and development of many anti-Japanese forces. They also scrambled for hegemony and caused friction with the Chinese anti-Japanese unit. It was General Kim Il Sung who overcame the difficulty, stood firm on the standpoint of Juche, applied Marxism-Leninism to the actual conditions of the Korean revolution to develop it, and laid down a correct line. Herein lies the reason why he is called the genius of revolution.

What is the line? It is to form a united front embracing broad patriotic and anti-Japanese forces on the basis of the worker-peasant alliance led by the working class and to establish a people's revolutionary government relying on it. The ultra-Left dogmatists insisted on taking the form of Soviet power in which only the working class and poor peasants were allowed to participate. But General Kim Il Sung severely criticized them and took the form of people's government based on a united front which would make it possible to rally to the maximum the anti-Japanese forces including urban handicraftsmen, traders and even national capitalists, who were collaborating and assisting in anti-Japanese action, and get them to take part in the administration.

This people's government carried out the policy of various democratic reforms. It ensured the broad sections of the people political freedom and provided men and women citizens above 16 years of age with the rights to elect and to be elected. It carried out the land reform whereby it confiscated the land of the pro-Japanese reactionary landlords, pro-Japanese elements and traitors to the nation, and distributed it free to the landless or short-landed people. As for the workers, it promulgated the eight-hour working day and the minimum wage system. It also abolished various miscellaneous taxes and annulled the claim the Japanese imperialists and their agents had on the people. It announced the equality of the sexes and guaranteed the women's equitable and free activities in various fields. It also enforced compulsory free education and free medical care. At the same time, it seized factories, enterprises and all other property of the Japanese imperialists, pro-Japanese elements and traitors to the nation.

It is noteworthy that these reforms were almost similar in substance to the democratic reforms carried out in the People's Democracies in the first stage of the people's democratic revolution following the Second World War. And they became a revolutionary tradition, and this was inherited after liberation through the democratic reforms in Korea. Herein lies the origin of Korea's Socialist Constitution. As the people's government was a system of power in the base area which was not so large but mobile, it was not widely known to the world. However, its political significance must be highly appreciated in terms of revolutionary strategy. Military activities held an important place in this government which was located in the guerrilla district. General Kim Il Sung's battle command was as superb as to create many legends, and his fame spread throughout the nation. This was ascribable to the existence of such base-area government and the support of the broad anti-Japanese Korean people.

In May 1936 the Association for the Restoration of the Fatherland was formed as a mass revolutionary organization based on the anti-Japanese national united front, and General Kim Il Sung was elected its Chairman. The Association announced its Ten-Point Programme. (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. I, from p. 176.) This constituted a monumental event in the Korean revolution, and it can be said that the Ten-Point Programme served as the origin of the Constitution of the Republic. (See Appendices.)

The Programme declared: To mobilize the entire Korean nation and realize a broad-based anti-Japanese united front in order to overthrow the piratical Japanese imperialist rule and establish a genuine people's government in Korea (Article 1). Then it provides for: To confiscate all enterprises, railways, banks, shipping, farms and irrigation systems owned by Japan and Japanese and all property and estates owned by pro-Japanese traitors, to raise funds for the independence movement, and to use part of these funds for the relief of the poor; and to

cancel all loans made to people by Japan and its agents and abolish all taxes and monopoly systems; to improve the living conditions of the masses and promote the smooth development of national industries, agriculture and commerce (Articles 4 and 5).

As the creative application of Marxism-Leninism to the realities of Korea at that time, these constituted the line of the people's government, which defined the character of the Korean revolution as the anti-imperialist, anti-feudal democratic revolution. Therefore, it was a programme and, at the same time, the embryo of the basic law of the state to be established by the Korean people in the future. Herein lies the origin of the revolutionary tradition of law inherited later by the Twenty-Point Platform and the Constitution of the Republic.

The people's power of Korea had very high revolutionary and political quality before liberation thanks to the leadership of General Kim Il Sung, but, as a matter of fact, it was not so strong in terms of influence and stability. However, what is important in the course of the development of the revolution is not quantity but quality. If quality is high, a spark of fire will become a conflagration to burn a vast plain. At the end of the Pacific War the guerrilla units of Korea, together with the Soviet troops, defeated the Japanese Kwantung army and the troops stationed in Korea and brought liberation to the country.

2. LIBERATION OF KOREA AND ESTABLISHMENT OF PEOPLE'S POWER IN THE NORTHERN HALF

On August 15, 1945, the Japanese militarist government accepted the Potsdam Declaration and unconditionally surrendered to the Allied Forces. Its colonial rule over Korea came to an end once and for all, and the bright rays of liberation shone before the eyes of the Korean people who had long been under the yoke of subordination. However, the complicated international political situation in which confrontation between socialism and capitalism formed an axis from the close of the Second World War to the postwar period did not allow the smooth process of the complete achievement of the Korean

revolution. Nearly thirty years have passed since then. But the task of achieving the completely independent, peaceful reunification of the country, the fundamental question of the revolution, still remains unsolved. It has been only in the northern half of Korea that the Korean nation steadily advanced along the road of liberation, carried out democratic reforms and has realized advanced socialist society. This, however, has entailed indescribable, manifold hardships and sacrifices. In the southern half, subordination to US imperialism still continues in the form of colonial rule. The desire for the reunion of the nation split into north and south and its reflection in the new Constitution will be dealt with in Chapter V. Here let us see how the people's power was set up after liberation. This process is identical with the course of the democratic reforms in the northern half. The revolutionary tradition of people's power in the guerrilla bases, which is mentioned in the previous section was inherited, developed and materialized in the northern half.

The ruling apparatuses of the vanquished Japanese imperialism were cleared away by the people. The people's power ought to be set up in their places. Upon the directive of the General Headquarters of the Allied Forces, Korea was divided into north and south with the 38th north parallel as the demarcation line, and the US and Soviet armies occupied their respective portion to control it. At that time, all the Korean people in the north and the south organized local people's committees on their own initiative. In the southern half, they were dissolved owing to the repression by the US Army Headquarters. In the northern half, their organization was actively promoted under the support of the Soviet Army.[1] Accordingly, five provincial people's committees came into being. This is noteworthy as the creation of the organs of power by the liberated Korean people on their own initiative. It was a movement started from below for Korea's reunification. However, the United States, proceeding from its world strategy, banned the Korean people's movement for independent state building and sought to put the southern half eternally under its domination. Originally, the stationing of the US and Soviet armies in the north and south of Korea was a temporary measure to sweep away the Japanese imperialist forces. Therefore, the US, British and Soviet Foreign Ministers' Conference held in Moscow in December 1945, decided on establishing a provisional democratic government in Korea for her development

into a unified, democratic independent state. But the United States, disregarding this decision, tried to set up a government to its liking in the area under its control so that it might be adapted to its strategy.

And there were also complications in the first stage of the establishment of the people's power in north Korea. After liberation the national liberation fighters and politicians returned home one after another from abroad. At that time, an extraordinary leadership was required in marshalling the enthusiasm and energy of the masses and giving them correct guidance and in smoothly straightening out the political situation and establishing a genuine people's power. General Kim Il Sung was the only genius of revolution who would shoulder the task. And the masses were long waiting for the homecoming of the General who had restored the lost country.

Referring to the immediate tasks facing the Korean people after liberation and, especially, to the character of the revolution and the building of power in his speech on August 20 before the military and political cadres, the General said: **"Capitalist development was held back in our country because of the medieval colonial rule of Japanese imperialism, and Korea long remained a colonial, semi-feudal society."** The Korean people "are still confronted with the task of carrying out an anti-imperialist, anti-feudal democratic revolution. **Proceeding from the nature and task of our revolution at the present stage, we are confronted with the task, as far as power is concerned, of establishing a democratic people's republic which represents the interests of the entire Korean people."** And "in order to build" this republic "we must first form a **democratic national united front embracing the democratic forces of different strata—broad peasant masses, the intellectuals, honest national capitalists, etc.—under the leadership of the working class and, on this basis, establish a people's regime."** (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. I, pp. 305-08.) On October 10, the same year, the Workers' Party of Korea was founded in Pyongyang, and General Kim Il Sung assumed the post of its General Secretary.[2]

But the road to the establishment of this people's power was by no means royal. It is needless to say that the dispersion of the five provincial people's committees of north Korea caused much inconvenience. It was necessary to establish contacts between them in the political, economic and cultural

spheres and then advance towards the goal of creating a unified central government in the northern half. It was decided to organize separately the central administrative organs by way of a start, and thereby the north Korean administrative bureaus (ten administrative bureaus) were set up. But they were the administrative bureaus for separate branches and had no jurisdiction to give unified leadership to all the political, economic and cultural affairs of north Korea. Pressing was the need to create a central organ of power capable of giving comprehensive guidance to those affairs and exercising unified leadership over the provincial people's committees.

Thus, a conference of representatives of the Workers' Party of Korea and other political parties, social organizations, administrative bureaus and local people's committees was held in February 1946. The conference set up the Provisional People's Committee of North Korea and made General Kim Il Sung the Chairman. It should be said that it was an epoch-making event in the political life of north Korea after liberation. For the establishment of the people's power provided a structure which made it possible to promptly and correctly carry out the task of the anti-imperialist, anti-feudal democratic revolution.

Namely, in March that year the Agrarian Reform Law aimed at abolishing feudal landlordism was promulgated, and the reform was completed in less than one month. In June the Labour Law was proclaimed for the factory and office workers. As a result, they were liberated from the remainings of colonial exploitation which had lasted scores of years in the past, an eight-hour working day was instituted, and there was established the principle of equal pay for both sexes for equal work. In July the Law on the Equality of the Sexes was proclaimed, whereby the Korean women who had been subjected to contempt and harsh exploitation by Japanese imperialism and deprived of political and economic rights were emancipated. And the equality of the sexes, freedom of marriage and divorce, prohibition of polygamy and others were enacted. In August the law on the nationalization of industries, transport, communications, banks, etc., was promulgated. It provided for the confiscation without compensation and the nationalization of all the enterprises, mines, power stations, railways, transport means, communications, banks, trading and cultural organizations, etc., which had been owned by the Japanese state and nationals (including the juridical persons)

and the Korean traitors to the nation. (See Appendices for the respective laws.)

Besides, there were the following two laws on the rights and duties of the people.

1. The resolution on the reform of the taxation system in north Korea (August 21, 1946).

2. The social insurance law (December 19, 1946).

They were all reforms of democratic nature, and their fundamentals were included in the Twenty-Point Platform which was drafted and announced by President Kim Il Sung on March 23, the same year. And this Platform was the embodiment and development of the aforesaid Ten-Point Programme of the Association for the Restoration of the Fatherland in the period in which national independence was achieved; it covered broad spheres such as the principle of the formation of power, the fundamental freedom and rights of citizens, economy, finance, labour, education and culture, public health and had the fundamental nature of the future Constitution, although it did not take the form of law.

Various democratic reforms in semi-feudal society in general cannot be free from the strong resistance of the class enemies. The same was the case with Korea. Here the sincere attitude of the Soviet army supporting the reforms was of great help. However, the people's power itself must above all suppress the resistance of the enemy in reliance on the broad masses of the people. It is necessary to put this function in action in frustrating the hostile acts against the revolution and the democratic reforms. To this end, the first machinery of the law and prosecution was installed. This is seen in the basic principles on the composition and functions of the Judicial Affairs Bureau, the Court of Justice and the Public Procurator's Office of the Provisional People's Committee of North Korea (March 6, 1946).

In order to build up the political power and consolidate it, the people's power had to institute and enforce some regulations and resolutions needed in the execution of its policies. Among them, the following can be cited as important ones equal to state laws:

1. The regulations regarding the formation of the Provisional People's Committee of North Korea (March 6, 1946).

2. The regulations governing the election of the members of the provincial, city, county, myon and ri people's committees in north Korea and the regulations relating to the election of deputies to the People's Assembly of North Korea (August 21, 1946).

3. The regulations respecting the north Korean provincial, city, county, myon and ri people's committees (September 5, 1946).

4. The regulations for the election to the north Korean provincial, city, county, myon and ri people's committees (September 5, 1946).

5. The regulations for the election to the north Korean myon and ri people's committees (January 7, 1947).

6. The resolution of the People's Committee of North Korea on the inauguration of the North Korean People's Assembly (February 19, 1947).

7. The regulations with regard to the procedure for the election of deputies to the People's Assembly of North Korea (February 19, 1947).

8. The regulations on the People's Assembly of North Korea (February 20, 1947).

9. The regulations on the People's Committee of North Korea (February 20, 1947).

10. The resolution of the People's Assembly of North Korea on the report on the work of the Provisional People's Committee of North Korea (February 21, 1947).

11. The regulations on the rights and duties of deputies (April 9, 1947).

With regard to the Court of Justice and the Public Procurator's Office, the following resolution and regulations were issued:

1. The resolution on the election of judges (January 14, 1947).

2. The regulations pertaining the Court of Justice and the Public Procurator's Office in north Korea (February 21, 1947).

However, as its name denotes, the Provisional People's Committee of North Korea was, in its essence, a temporary organ of power. Namely, it aimed at carrying out the urgent task of sweeping away the feudalistic remnants before the transition to socialism. Here, in order to enter the next stage, that is, the period of transition to socialism, it was imperative to establish the people's power of permanent nature through the election reflecting the will of the entire people in the northern half. Thus, in November 1946 there took place the

first general election in the history of Korea. The members of the provincial, city and county people's committees were elected, with 99.6 per cent of the total votes polled. And, on this basis, the first congress of the provincial, city and county people's committees was held in Pyongyang in February 1947. It was similar to the congress of people's representatives. The congress set up the People's Committee of North Korea with General Kim Il Sung as its Chairman.

It must be noted here that substantial development was made in the nature of the people's power. By the time of the Provisional People's Committee, the people's power had assumed a provisional character and taken the form of power exercising the dictatorship of people's democracy, although it was a united central organ of power in north Korea and the people of all strata were united around it as the working-class leadership was established and the worker-peasant alliance strengthened under the support of the broad masses. The People's Committee of North Korea, which was set up as a permanent organ of people's power on the basis of the formation of the congress of the people's representatives through the democratic election, was different from the former in character. It was already the political power of the dictatorship of the proletariat.[3]

Later President Kim Il Sung said as follows:

"The first historic democratic election was held to establish the People's Committee of North Korea. This was the first institution of the dictatorship of the proletariat in our country. The People's Committee of North Korea, a powerful arm of socialist revolution and socialist construction, strove to carry out the tasks for that period of gradual transition to socialism and develop the national economy in a planned way." (Kim Il Sung, *Selected Works*, Eng. ed., Vol. V, p. 140.)

The tasks of this transitional period were undertaken first of all by way of carrying out yearly economic plan. Economic construction was carried on by this method in the two years of 1947 and 1948, and both yearly plans were successfully and completely fulfilled. The nationalization of the major industries carried out in the period of the democratic revolution provided the basis for the formation and development of the state economic sector. And its management and operation and its dominant influence on the national economy as a whole gradually set in motion the socialist economic law—the law of the planned and proportionate development of the national economy.

The Provisional People's Committee of North Korea also marked the starting point in the building of the structure of the central organ of power. The dispersed character of local people's committees at various levels was removed and the unified central government machinery rapidly put in good order. And connections were formed between the central and local power organs, between the central guidance and the local creativity, and the principle of democratic centralism was established and strengthened. This also was of weighty significance in the development of people's power.

Notes

1. There was a similar state of affairs in Germany in May 1945 right after the collapse of the Nazi government. The Soviet Army approved on the establishment of local organs of power by the independent and voluntary will of the local people, but the US Armed Forces rejected it and ordered their dissolution, as in Korea.

2. The Workers' Party of Korea was founded on October 10, 1945, which became the founding day of the Party. But the Party founded that day took the name of the North Korean Organizing Committee of the Korean Communist Party. It was merged with the Korean New Democratic Party in August 1946 to develop into the Workers' Party of North Korea.

3. In the Republic the power of people's democratic dictatorship is distinguished in conception from the power of proletarian dictatorship. There may be an important theoretical problem as to the reason for the change of the character of power from people's democratic dictatorship to proletarian dictatorship and the growth and transformation from the former to the latter. But, here I will not delve into it.

3. ESTABLISHMENT OF THE CONSTITUTION ON SEPTEMBER 8, 1948, AND THE FOUNDING OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

As pointed above, the decision of the Moscow Three Foreign Ministers' Conference was aimed at the reunification of Korea. This was natural, and the decision represented the

demand of the whole of mankind. However, it ran against the world strategy of the US imperialists, and the United States used the UN in supplying its strategic requirements. Since then, the United States has always tried to realize its ambition in the name of the UN. First of all, the US military government held a separate election in south Korea in May 1948 under the special guard of the US troops in disregard of the will of the Korean people (May 10th election). A strong movement was started against this, in which the workers, peasants and students of south Korea took part, and tens of thousands of people were arrested. And there was serious antagonism among political parties and groups, and their conflict was fierce. This notwithstanding, the US military government chose Syngman Rhee who had been faithful to it, and in July it set up a "government" with him as President and named it the "Republic of Korea". In December, the same year, at the UN General Assembly it carried a resolution recognizing the "ROK" government as the sole lawful government of Korea. In the face of the scheme to perpetuate the division of Korea into two and keep the southern half in a state of subordination to US imperialism, the Workers' Party of Korea could not but take immediate countermeasures, representing the will of the people aspiring after the reunification of the country. In June, the same year, General Kim Il Sung put forward the policy of founding the Democratic People's Republic of Korea. And the Party adopted a decision as to the holding of a general election throughout the country. On this basis, on August 25, a north-south general election was held. At that time, 99.97 per cent of the total electorate went to the poll in the northern half, and 77.52 per cent in the southern half. As a result, the Supreme People's Assembly was formed as the supreme organ of power for all Korea, and it still exists today. The First Session of the First Supreme People's Assembly was convened on September 2, and on September 8 it adopted the Constitution (old one) of the DPRK. According to the provisions of this Constitution, a Cabinet was formed with Premier Kim Il Sung as its head, and the Presidium of the Supreme People's Assembly was organized. On the 9th, the following day, the Democratic People's Republic of Korea was proclaimed.

The foundation of the DPRK marked a historic event in the Korean history. With the founding of the Republic, the people's power of Korea assumed a more perfect and advanced

form of power than the People's Committee of North Korea. Although it is nationwide in nature, the scope for the exercise of its authority cannot cover the southern half due to US imperialism.

President Kim Il Sung announced the Eight-Point Programme of the Republic at the above-mentioned Session of the Supreme People's Assembly. (See *KIM IL SUNG, Short Biography*, Eng. ed., Vol. I, pp. 429-31, for its full text.) It contains the guidelines and fighting programme for the realization of the national reunification and the building of a democratic, sovereign and independent state, rich and powerful. In particular, the first article holds the demand for the simultaneous withdrawal of the Soviet and US armies. The Soviet Union conceded to this demand and finished the complete withdrawal of its army by the end of that year. In the same year the Soviet Union and other socialist countries established diplomatic relations with the Republic.

Thus, the sovereign, independent Democratic People's Republic of Korea came into being, and a Cabinet, ministries and other state organs were set up on the basis of the Constitution. As for the economy, in the wake of the fulfilment of the plan for 1948, a two-year national economic plan (1949-50), the first prospective long-term plan, was adopted.

The process of the preparation of the draft Constitution is as follows: First, on November 18, 1947, the Third Session of the People's Assembly of North Korea adopted a decision on drafting a Provisional Constitution of Korea and organized a committee for it. This committee generalized and systematized the practical experience of state building to materialize the constitutional ideas and requirements of the Ten-Point Programme of the Association for the Restoration of the Fatherland in the northern half after liberation. On this basis it drafted the Constitution, which was submitted to the Fourth Session of the People's Assembly of North Korea in February 1948.

Referring to this at that time, General Kim Il Sung said as follows:

"...The draft Provisional Constitution of Korea has been drawn up which will legally validate the results of the democratic reforms and democratic construction in north Korea and provide the legal foundations for the Democratic People's Re-

public of Korea to be set up in the future." (Kim Il Sung, *Selected Works,* Eng. ed., Vol. I, p. 196.)

The Fourth Session of the People's Assembly of North Korea decided to bring this draft of the Constitution to the discussion of the entire people before it was deliberated, and induced all the people to discuss it for over two months from February 13 to April 25, 1948. To ensure the success of the discussion, the People's Committee printed it in more than one million copies of publications and popularized it. It is worthy of special mention that the all-people discussion was actively conducted as the entire people of north and south Korea took part in it with high political enthusiasm in defiance of the obstructive machinations of the reactionary forces at home.

In the northern half, all the people in factories, mines, enterprises, educational and cultural establishments, towns, farming and fishing villages participated in the discussion with a high degree of political enthusiasm. In south Korea, too, broad sections of people took an active part in the discussion in the teeth of harsh terrorism and suppression by US imperialism and its stooges.

Of this all-people discussion, General Kim Il Sung said:

"In view of the acute situation created in our country and with the object of indicating clearly once more the path to be followed by the Korean people, our Party, together with other democratic political parties and social organizations in north Korea, has worked out the draft of a Provisional Constitution wholly conforming to the demands of the people, and put it before the entire people for discussion. We are now discussing the draft Constitution with the enthusiastic support of all the people in north and south Korea. The draft Constitution we have made public is a historic document which legally confirms and consolidates the gains scored by the north Korean people, after taking power into their hands, in the democratic transformation of society in the two years since liberation, and which shows the whole Korean people the path that their country should follow." (Kim Il Sung, *Selected Works*, Eng. ed., Vol. I, pp. 221-22.)

The character of the draft Constitution is clearly manifested in this quotation. And the mass discussion of the draft Constitution was carried out throughout the country in the midst of the high political consciousness and warm cheer of the entire Korean people. During the all-people discussion, more than

58,000 letters supporting the draft Constitution and 220 proposals suggesting revision and supplementation were sent in. After the draft Constitution was amended and supplemented through the all-people discussion, it was submitted for consideration to the Special Session of the People's Assembly of North Korea held on April 28, 1948, which was attended by the leaders of various political parties and social organizations in north and south Korea.

The Special Session summed up the results of the all-people discussion of the draft Constitution and adopted in its original form the draft Provisional Constitution submitted by the Constitutional Committee on the premise that it should be approved by the supreme legislative body of Korea to be set up in the future.

General Kim Il Sung said as follows:

"In north Korea the basic spirit of the Constitution of the Democratic People's Republic of Korea has already been embodied in the actual life....

"Therefore, we must enforce the DPRK Constitution at an early date and establish an all-Korea supreme organ of power representing the entire people in north and south Korea." (Kim Il Sung, *Selected Writings*, Korean ed., Vol. II, p. 234.)

The Fifth Session of the People's Assembly of North Korea held on July 10, 1948, decided to enforce the draft Constitution first in the area of the northern half and elect a supreme legislative body for all Korea on the basis of the Constitution. Also, a new national flag was instituted, and the former Taeguk national flag was abolished. Then, the north-south general election was held in August 1948, with the result that 572 deputies to the Supreme People's Assembly, the representatives of the patriotic people including the workers and peasants, were elected. On this basis, the First Session of the First Supreme People's Assembly was convened in Pyongyang on September 2, 1948. The session organized the Constitutional Committee, which decided to adopt as the draft Constitution of the DPRK the Constitution which was then in force in north Korea after the all-people discussion in north and south Korea, particularly on the proposal of the representatives of the south Korean political parties and social organizations, and to submit it to the Supreme People's Assembly for its consideration. Thus, the Constitution of the DPRK was adopted unanimously on the 8th of that month.

4. COMPOSITION AND CONTENTS OF THE CONSTITUTION OF THE REPUBLIC IN 1948 AND SUBSEQUENT AMENDMENTS

1) COMPOSITION AND CONTENTS

The Constitution of the DPRK adopted on September 8, 1948, is the fourth constitution of the People's Democracies after the Second World War, and it assumes the form of a socialist constitution. It is presumed that the Constitution of the Soviet Union in 1936 and the Constitution of the Bulgarian People's Republic in December 1947 [1] were referred to at the time of drafting. The Constitution of Bulgaria was drafted under the strong influence of the Constitution of the Soviet Union, but it has its own characteristic features.

The Constitution of the Republic in 1948 followed those constitutions in some respects, and this can be seen especially in the system of state institutions. Illustrative of this are: The organization of the Supreme People's Assembly as the supreme organ of power and of its Presidium (the first and second sections of Chapter III); the enumeration of ministers (including Defence Minister) in addition to Premier and Vice-Premiers, as the Members of the Cabinet (Article 58); their taking the oath of office before the Supreme People's Assembly (Article 61); etc.

It goes without saying that this Constitution as a whole has its own characteristics in that it inherited the traditions of the Korean revolution and was adapted to the reality of the Republic. As seen in the above words of President Kim Il Sung, it is the legal confirmation and consolidation of the gains scored in the course of the democratic reforms of society in the two years after liberation. It is expressed in the provisions for the agrarian reform, the nationalization of major industries, etc., in Chapter I, and in the provisions for the voting rights of citizens above the age of 17, the equality of the sexes, etc., in Chapter II.

Originality can also be found in the composition of chapters. "Fundamental Rights and Duties of Citizens" is dealt with in Chapter II following the "Basic Principles", whereas it is placed in the latter part, such as Chapter X or VIII, in the Constitutions of the Soviet Union and Bulgaria. Its contents are not without being influenced by the two Constitutions, but such a provision as "The State protects marriage and the family" (first paragraph, Article 23) is original.

Chapters III and IV dealing with the central state organs were largely amended in this Constitution, compared with their former makeup. Yet in Chapter V providing for "The Local Organs of State Power", the former system under the People's Committee of North Korea was retained in view of the prevailing situation. Namely, it provided that "the local organs of state power in provinces, cities, counties, myon and ri are the respective people's committees" (Article 68). And the people's committees at all levels and their standing committees elected concurrently exercised the functions of the organs of power and the executive organs. This, it may be said, was the correct form based on the then revolutionary situation and the balance of forces between the classes and, in particular, on the need to strengthen the united front embracing even the non-comprador capitalists. The last article of this chapter merits attention, which provides: "The people's assemblies and the people's committees at all levels must always secure a broad participation of the local population in the discharge of their duties and rely upon their initiative" (Article 81).

2) AMENDMENTS

Since its adoption, the Constitution had been amended several times. It had also been supplemented by national laws. About this, President Kim Il Sung said as follows:

"Law is not unchangeable. No law has been immune to change or applicable and effective like a panacea at any time and in any place. It is wrong to think of the law as if it came down from Heaven, divorcing it from the socio-economic or the political system, or to consider that it remains immutable for millennia once it is made by someone.

"Law is a reflection of the socio-economic system and an expression of politics. There can be no law divorced from a socio-economic system and from class struggle. When the socio-economic system and the content of the class struggle change,

how can the law, which is their reflection, remain unchanged?...

"When the socio-economic system and the content of the political struggle between classes change, the law, too, inevitably changes." (Kim Il Sung, *Selected Works,* Eng. ed., Vol. II, pp. 140-41.)

Let us see first the constitutional amendments. There were considerably large amendments and development in 1954 and 1955 after the Korean war.

This was connected with the further perfection of the system of state organs and the promotion of democracy among the masses of the people.

At the Eighth Session of the Supreme People's Assembly held on October 30, 1954, the term of the Supreme People's Assembly was extended from three years to four years. In addition to this, the above-mentioned Chapter V dealing with the local organs of power (Articles 68-81) was generally amended. Its main point is that the former composition of single people's committee was divided into the people's assembly as the organ of power and the people's committee as the executive organ which is elected by the former, and that their relations and competence were clearly defined. This means the great development in the system of local state organs. At the same time, it will strengthen the leadership of the centre over the locality. It must be regarded as the further advance of democratic centralism. Only the aforesaid distinctive substance of Article 81 was not changed.

The following amendment was made at the Ninth Session of the Supreme People's Assembly held on March 11, 1955. The former provisions for the organization of the Presidium of the Supreme People's Assembly and the Cabinet were simplified in Articles 48 and 58. In particular, the latter only refers to "1. Premier; 2. a few of Vice-Premiers; 3. each minister; 4. some chairmen of commissions," whereas Premier, Vice-Premiers, Chairman of the State Planning Commission and 20 ministers were enumerated before. And it is stipulated that "the law on the formation of the Cabinet shall be separately adopted".

The Twelfth Session of the Supreme People's Assembly held on November 5, 1956, amended the age requirements of the electors and eligible persons by lowering it from full 20 to full 18. This was intended to draw in the election to the organs of state power the broader young people who, in defence of their power and the people's democratic system, had displayed peerless heroism at the front and in the rear during the Korean war fought against the armed aggression of the US imperialists and were taking part devotedly in the struggle for postwar socialist construction, showing a high degree of political and labour enthusiasm.

The First Session of the Third Supreme People's Assembly held on October 12, 1962, decided to elect one deputy of the Supreme People's Assembly for every 30,000 of the population, which was formerly 50,000, thus increasing the number of the deputies (Article 35). The Session also abrogated Article 61 providing that the members of the Cabinet should take the oath of office before the Supreme People's Assembly.

Now, let us see the enactment of the laws of national character in connection with the constitutional amendments. It can be seen in the revision of the system of administrative districts in the northern half of the Republic in December 1952, the adoption of the law on the organization of the local organs of power in October 1954, the adoption of the law on the formation of the Cabinet in March 1955 and the amendment of this law in October 1962, which entailed amendments or supplements of the respective articles of the Constitution.

In the reorganization of the system of administrative district, first of all, myon which was an intermediary organ in the former system of provincial, city, county, myon and ri administrative districts was abolished. This means rational organization of the administrative districts of county and ri to fit in with the regional and productive conditions. Myon was abolished as an unnecessary intermediary organ. This not only simplified the state machinery but also enabled the policies and guidance of the Party and the government to penetrate more rapidly into the lower bodies, greatly enhancing the role of county and ri.

And the law on the organization of the local organs of power adopted in October 1954 and the law on the formation of the Cabinet adopted in March 1955 and amended in October 1962 came to exercise an important effect through the above-mentioned subsequent constitutional amendments. By the former, the local organs of power were set apart from the local executive organs and a clear distinction was made between their duties and between their competence. By the latter, the industrial ministries, economic ministries, comprising the Cabinet were subdivided. As a result, the functions and role of the

economic ministries and the local organs of power in socialist construction were extended and their guidance was strengthened. This made it possible to better carry out the basic line of economic construction, the line of giving priority to the growth of heavy industry with the simultaneous development of light industry and agriculture.

Note

1. The Constitution of Czechoslovakia was established on May 9, 1948 (the liberation day of Czechoslovakia, and the Constitution is generally called the May 9 Constitution). Although it precedes the DPRK Constitution, it can hardly be considered that the latter did refer to it, because its draft, as mentioned above, had already been decided in April. The Republic's Constitution bears little resemblance to the Soviet Constitution and is highly original for its historic conditions.

CHAPTER III

SOCIALIST PRINCIPLES IN KOREA AND THE NEW CONSTITUTION

1. STAGES OF SOCIALIST CONSTRUCTION AND ACHIEVEMENTS IN IT

1) STAGES OF SOCIALIST CONSTRUCTION

As I have previously quoted President Kim Il Sung as saying that "law is not unchangeable" but, as "a reflection of the socio-economic system and an expression of politics," it cannot but undergo changes when the "socio-economic system and the content of the class struggle change". The reason for the recent establishment of the new Socialist Constitution, in a word, is that there arose the necessity to revise the Constitution, the basic law of the state, in keeping with the aforesaid changes of the situation brought about as a result of the development of the socialist revolution and socialist construction in the Republic. Therefore, the key to the understanding of the new Constitution lies in knowing the course of the development of all fields in Korea, which demanded that the great achievements made by the Korean people in the socialist revolution and socialist construction be fixed by law through the establishment of the new Constitution, and in comprehending the socialist principles which have come into being in that course.

In order to know the process of development of the revolution and construction in the Republic it is necessary, first of all, to divide it into stages. There are some methods of division, and they depend on the point of view. Among them, the most comprehensive one which is applied in the Republic covers the period from the establishment of the people's government during the anti-Japanese armed struggle up to the present. It is specified: (1) the period of the anti-imperialist, anti-

feudal, democratic revolution (1930-February, 1947), (2) the early period of transition to socialism—the preparatory period (February, 1947-June, 1950), (3) the period of the Fatherland Liberation War (June, 1950-1953), (4) the period of laying the foundation of socialism (from the postwar rehabilitation and construction to the fulfilment of the Five-Year Plan) (1953-60), and (5) the period of allround construction of socialism—the period of advance towards complete victory of socialism (from 1961 up to the present).[1]

Since the 1948 Constitution and the period following the founding of the Republic are the point at issue, we will see each of the national economic plans in the light of the planned development of the economy. In accordance with the policies of the Workers' Party which were adapted to actual conditions, the following several different plans were worked out and executed from 1947, the year of the establishment of proletarian dictatorship:

(1) The One-Year Plans for 1947 and for 1948; (2) The Two-Year Plan for 1949-50; (3) The Three-Year Plan (1954-56) for the Postwar Rehabilitation and Development of the National Economy; (4) The Five-Year Plan for 1957-60; (5) The Seven-Year Plan for 1961-67; (6) The Six-Year Plan which was started from 1971.

All the above plans were successfully carried out. But, as can be observed in the chronological order, there are two exceptions, that is, an interruption and an extension. The three years' suspension from 1950 was caused by the Korean war, and the three years' extension from 1967 was due to the fact that the fulfilment of the Seven-Year Plan had to be delayed because the situation in Korea, which had been seriously strained by the ever-intensified war provocation manoeuvres of the US imperialists, compelled the country to direct greater efforts to increasing defence capabilities, and this inevitably had a definite effect on the tempo of the development of the national economy.[2] In other words, both were caused by the obstruction by the US imperialists.

Summarizing these in the aforesaid report on the draft Constitution, President Kim Il Sung said: **"Our people's struggle for socialist economic construction went through three stages—the stage of postwar rehabilitation and construction, the stage of laying the basis of industrialization and the stage of completing industrialization."** Here, a demarcation is made

of the stages of full-scale socialist construction, with preconsideration given to the initial period (the preparatory period) of transition to socialism and the period of the Korean war. Chronologically they coincide with the periods from 1953 to 1956, from 1957 to 1960 and from 1961 on.

According to another division which is made in *KIM IL SUNG, Short Biography,* the postwar period is divided into five stages—10 (July, 1953-April, 1956), 11 (April, 1956-September 1961), 12 (September 1961-October 1966), 13 (October, 1966-1970), and 14 (November, 1970-). In July 1953 the Korean Armistice Agreement was signed; in April 1956 the Third Congress of the Workers' Party (which made public the Five-Year Plan) was held; and in September 1961 the Fourth Congress of the Workers' Party (which adopted the Seven-Year Plan) was held. In October 1966 there was the Conference of the Workers' Party (which announced the extension of the Seven-Year Plan by three years), and in November 1970 the Fifth Congress of the Workers' Party (which published the Six-Year Plan). This division is based on the description of President Kim Il Sung's great exploits according to the periodical division of Party history centred on the activities of the Workers' Party of Korea led by him. It can be said that it is a normal method of division based on the special significance of each Party congress.[3]

These methods of division shall be used hereinafter as occasion arises.

2) THE BASIC LINE OF SOCIALIST CONSTRUCTION AND THE ACHIEVEMENTS IN CONSTRUCTION

The achievements in the socialist revolution and socialist construction constitute the foundation of the new Constitution, so it would be necessary to explain them lucidly. But on account of limited space only a brief remark is made here on the marvellously high-speed growth and development.

Before touching upon the subject, I should like to pay attention to what President Kim Il Sung referred to on the basic line of socialist construction in his report on the draft Constitution. He said: **"Over the whole period of socialist economic construction our Party has consistently adhered to the basic line of socialist economic construction on giving priority to**

the growth of heavy industry simultaneously with the development of light industry and agriculture." President Kim Il Sung advanced this line in his report, *Everything for the Postwar Rehabilitation and Development of the National Economy,* delivered at the Sixth Plenum of the Party Central Committee in August 1953, the first year of the period of national economic rehabilitation. What situation prevailed in the Republic at that time? The whole land of Korea had been destroyed by the indiscriminate bombings and bombardments of the US ground, naval and air forces wearing the caps of the UN Forces. In particular, the towns and villages of its northern half had been literally reduced to debris. However, convinced of their bright future, the undaunted Korean people under the leadership of President Kim Il Sung displayed a high degree of enthusiasm and creativity without yielding to any difficulties, and rehabilitated factories and erected dwelling houses, removing piles of broken tiles and stones, and thus rehabilitated the national economy and stabilized the people's life in a short span of time.

As space does not allow to give a detailed description of the achievements in the fulfilment of the economic plan for each stage, I am going to illustrate them through a brief reference to the targets of the plan and the index to the rate of growth. The Three-Year Plan for the Rehabilitation and Development of the National Economy was to build an independent economy and stabilize the people's life, and it was fulfilled in two years and eight months. It was overfulfilled at 122 per cent by the end of the set time. As compared with 1949, the year before the Korean war, gross industrial output value grew more than two times (of which the output of means of production increased four times), and agricultural production showed an increase of eight per cent. The Five-Year Plan whose target was set at the Third Congress of the Workers' Party aimed to complete the building of the foundation of socialism and carry out the cooperativization of agriculture and the socialist transformation of private trade and industry. With regard to the production index, it was envisaged that gross industrial output value was to increase 2.6 times during the Five-Year Plan. This target was hit in only two years and a half. In 1960, the industrial output was 1.3 times over the planned figure or 3.5 times over the 1956 figure. The national income, too, jumped 2.1 times. Moreover, socialist reorganization including the aforesaid agricultural cooperativization was brought to completion and the task of laying the foundation of socialism was accomplished.

The Seven-Year Plan was adopted at the Fourth Party Congress. Its basic tasks were "to carry out a comprehensive technological reconstruction and the cultural revolution, and to make radical improvements in the people's living conditions". As mentioned above, the Seven-Year Plan was virtually extended to ten years due to the increase of military expenditure resulting from the aggravation of the tension by the US army. According to the report delivered by President Kim Il Sung at the Fifth Party Congress, gross industrial output value increased 11.6 times as against 1956. Over the whole period of industrialization covering 14 years from 1957 to 1970, the industrial output grew at a phenomenal, annual average rate of 19.1 per cent. Progress was made in the mechanization of agriculture as well. Electricity found its way to every farm house. And, already in 1961 Korea attained complete self-sufficiency in food. The number of universities and colleges jumped to 129.[4] It is said that the proportion of industry out of the total output value went up from 34 per cent in 1956 to 74 per cent in 1969, and the output value of the major industrial products per head of the population reached the level of developed industrial nations and surpassed it in some items.

We have so far seen the rapid development of the Republic mainly in the aspect of production. In the above-mentioned period considerable changes had taken place in the class relationship and in the ownership of the means of production in the country, and this must be regarded as a sign of progress in the socialist revolution and socialist construction. Moreover, it is the very thing that has an important bearing on the provisions of the Constitution.

Some time after the beginning of the period of rehabilitation and development the agricultural cooperation movement was powerfully pushed ahead under the leadership of President Kim Il Sung. This posed as an urgent task for the rehabilitation of the agricultural productive forces and the improvement of the living conditions of the peasants. The dogmatists and flunkeys opposed it. They held that it was premature to effect cooperativization before the realization of socialist industrialization. Such conservatist views were disproved, and following the November 1954 Plenum of the Party Central Committee, agricultural cooperativization was propelled by a mass move-

ment based on the free will of the peasants. At that time, three forms of cooperative economy—the first, second and third forms—were set up and the principle of respecting the free will of the peasant masses was observed both in joining the cooperative economy and choosing any of its forms.[5] By the end of 1956 more than 80 per cent of the peasants had already joined the cooperatives. Needless to say, this process was accompanied by a fierce class struggle, and due sanctions were applied against the malicious hinderers. And agricultural cooperativization was completed in August 1958.

It was followed by the work of amalgamating agricultural cooperatives which until then remained small in scale. The work progressed rapidly, and in October of the same year it was finished throughout the country, with ri as the unit. Along with this, the productive unit of the agricultural cooperative was merged with the ri administrative unit, and a single person was made to hold concurrently the chairmanship of both units.[6]

In the meantime, the socialist transformation of capitalist trade and industry and handicrafts made headway. It was started as early as 1947, the first year of the transitional period, with the adoption of the policy of organizing handicrafts producers' cooperatives. However, it was not until the postwar days that the work was pushed forward full scale. Middle and small entrepreneurs were admitted to producers' cooperatives according to their trades, and marketing cooperatives were organized with merchants. At the same time, these cooperatives were given material aid by the state. The transformation was completed at almost the same time as the cooperativization of agriculture.

Thus, the socialist relations of production came to hold undivided sway in the Republic in the course of the Five-Year Plan, that is, four to five years after the war. This brought about a fundamental change in the nation's production relations and, further, in class relationship, in comparison with the time of the establishment of the 1948 Constitution.

Notes

1. Of this the author obtained explanations from many instructors at the Law Research Institute under the Academy of Social Sciences during his stay in Pyongyang.

2. The report *On the Six-Year Plan for the Development of the National Economy of the DPRK (1971-76)* delivered by First Vice-Premier Kim Il at the Fifth Congress of the Workers' Party of Korea (November 10, 1970, issue of *Rodong Sinmun*).

3. *KIM IL SUNG, Short Biography*, published in celebration of the sixtieth birthday of President Kim Il Sung, represents the "History of the Workers' Party of Korea". In this meaning it is tantamount to the "History of the Communist Party of the Soviet Union" and the "History of the Communist Party of China". Its editorial committee was organized and its members were assigned by the CC of the Workers' Party.

4. In the days of Japanese imperialist colonial rule there was not a single college in the northern half. Kim Il Sung University, the first of its kind, was opened in Pyongyang in October 1946, and the Hamhung Industrial College in September 1947. The number of universities and colleges increased from 19 to 78 during the Five-Year Plan, and it now runs into 140.

5. The first form is a permanent mutual aid team in which work is done in common; the second is the semi-socialist form in which the land is pooled, the work done jointly and income distributed according to the amount of work done and the land contributed; the third is the complete socialist form in which the land and the basic means of production are pooled and distribution is made only in accordance with the amount of work done. But the application of these forms was not done in such an orderly manner as going through the first and then the second. Some agricultural cooperatives including the Chongsan Agricultural Cooperative chose the third form from the outset.

With regard to the three standard forms of cooperative farming and the concrete process of agricultural cooperativization, see Takeo Tamura's article entitled *Agricultural Cooperativization and Land Ownership in Korea* carried in the first issue of Vol. 14 of the journal of the Law Society of Tokyo Metropolitan University.

6. From that time on, the agricultural cooperative was called the cooperative farm.

2. SOCIALIST PRINCIPLES FORMULATED BY PRESIDENT KIM IL SUNG AND THEIR CONSTITUTIONAL PROVISIONS

As mentioned above, while reading the new Constitution, we often feel embarassment, unlike the people who are living in the Republic and working hard for the revolution and construction. The new Constitution gives legal expression to those con-

cepts which have become part and parcel of the working people of the Republic since a long time ago and serve as a source for their daily activity, inspiring and leading them forward. But as they are news for us who live under different circumstances of life there are many things we can hardly understand without explanation. However, those constitutional terms which are unfamiliar to the foreigners and hard for them to understand are, in fact, the essence of the new Constitution and the basis for its enforcement and operation.

The Constitution also contains some other socialist principles which cannot be found in the former Constitution and even in the constitutions of other socialist countries. Accordingly, all the principles mentioned above are those formulated by President Kim Il Sung in the course of the development of socialism in Korea, and a comprehension of them helps understand the new Constitution.

In other words, those concepts represent all the socialist principles and guidelines of Korea. They orientate all the activities of the state organs, social organizations and popular masses in the socialist revolution and socialist construction. And President Kim Il Sung's Juche idea underlies all those concepts. This of course should be explained here, but in the next section we will closely examine how it is reflected in the Constitution.

For these reasons, I am going to explain the process of the formulation, promotion and execution of the socialist principles in chronological order, taking into account the aforesaid stages of socialist construction. Originally, these principles operated in the working masses' practice in the building of socialism. They were discovered in the course of President Kim Il Sung's on-the-spot guidance, and then intensively formulated and presented. And they have been further developed. Therefore, if we confine our explanation to the time of their establishment, it is not yet a full one. The development they have made ever since under the guidance of President Kim Il Sung should also be considered. This may cause some reversions of time in explanation, and I hope you will understand this.

1) PROMOTION OF THE JUCHE IDEA

At a meeting of Party propagandists and agitators held on December 28, 1955, in the middle of the period of the rehabilitation and development of the national economy, President Kim Il Sung set it as Party's urgent task to promote the Juche idea and made a speech on establishing Juche. President Kim Il Sung created the Juche idea in the early 1930's during the anti-Japanese armed struggle and, on this basis, led the anti-Japanese national-liberation struggle. Why was this task raised especially at that time? It was because dogmatism, flunkeyism and formalism showed their ill effects within the Party. (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 117.) In fact, such a practice was an old story in those days. They had had a history of existence in the Korean revolution. They had turned up on many occasions in the thick of hard battles. The frequent factional strifes undermined the unity and cohesion of the Party and hampered the development of the revolution. Such an evil practice presented itself again at the very moment when a great effort and strain were required of all the working people. President Kim Il Sung's speech was entitled *On Eliminating Dogmatism and Formalism and Establishing Juche in Ideological Work.* In the speech he elucidated in an allround way the importance of the establishment of Juche and put forward the programmatic tasks for thoroughly establishing Juche in all fields of the revolution and construction. What is Juche in the Party's ideological work? It is the Korean revolution, the revolution of one's own country. Only by establishing Juche is it possible to carry out the revolution of one's own country with success. A concrete way for the establishment of Juche is to "study" the specific reality of one's own country, **"one's own things in earnest and be versed in them".** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. I, p. 588.) On April 14, 1965, President Kim Il Sung remarked on this. He said: **"The year 1955 marked a turning point in our Party's consistent struggle against dogmatism. It was also at that time, in fact, that we started our struggle against modern revisionism that had emerged within the socialist camp."** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. IV, p. 231.) This shows how important the speech was.[1]

2) INAUGURATION OF THE CHOLLIMA MOVEMENT

The December 1956 Plenum of the Party Central Committee held right before the start of the Five-Year Plan following the overfulfilment of the Three-Year Plan for the Rehabilitation and

Development of the National Economy marked the beginning of the nationwide Chollima Movement. This movement was named after Chollima, a winged steed covering one thousand *ri* a day, which appears in an old Korean legendary tale.

The movement was aimed at raising the people's spirit to a great high in order to lay the foundation of socialist construction. The revolutionary slogan "Let us advance at the speed of Chollima!" spread all over the country. In unfolding this campaign, President Kim Il Sung himself and Party cadres went to factories, mines and farm villages throughout the country and instilled it into the minds of the workers and peasants. The working masses enthusiastically responded to this appeal in the midst of carrying out the First Five-Year Plan. This movement brought about a miraculous growth of production everywhere, a progress never dreamed of or only considered unrealistic until then. Thus, a revolutionary upswing began to take place in socialist construction. Referring to the Chollima Movement later, President Kim Il Sung said: it was **"our Party's general line in the construction of socialism."** (Kim Il Sung, *Selected Works*, Eng. ed., Vol. III, p. 100.) **"It is the requirement of the laws of socialist and communist construction to create more material and cultural riches by steadily raising the people's level of ideological consciousness and boosting their zeal for production, thus encouraging them to make continuous advance and uninterrupted innovation."** (Kim Il Sung, *Selected Works*, Eng. ed., Vol. V, p. 46.) He stated that the Chollima Movement was the reflection of this requirement.

Later, in 1959 the Chollima Movement developed into the Chollima Workteam Movement on the initiative of the working people themselves.[2]

This movement aims not only to make each individual dash forward but also to "build" the whole workteam "into a Red collective", that is, to join efforts to carry out the tasks and educate backward people into progressives and passive people into activists by displaying profound comradeship. (*KIM IL SUNG, Short Biography*, Eng. ed., Vol. II, p. 204.) In order to expand and develop the movement President Kim Il Sung convened a National Meeting of Frontrankers in the Chollima Workteam Movement in August 1960, at which he made a speech. After that, the movement spread widely—from industry to all other domains of the economy and from production to culture, education, public health and sanitation. As a result,

there have emerged Chollima workteams and Chollima factories in the field of industry and Chollima cooperative farms in the countryside. In addition, everywhere there appeared Chollima schools, Chollima hospitals and others. The movement sweeps all that is antiquated and brings about constant innovations, and thus greatly accelerates the building of socialism. What merits attention is that the movement is not a simple emulation drive but a "great communist school" in which all people help and lead each other forward.

This explains the genesis and meaning of the provision of Article 13 of the Constitution that stipulates: "The Chollima Movement...is the general line in the building of socialism."

3) INHERITANCE OF THE REVOLUTIONARY TRADITIONS AND EDUCATION IN THEM

The First Five-Year Plan was started in 1957. In 1958, the second year of the plan, President Kim Il Sung laid down two important principles in succession. They are on the inheritance of the revolutionary traditions and the establishment of the monolithic ideological system. Here I am going to describe the former.

In his speech *The Korean People's Army Is the Successor to the Anti-Japanese Armed Struggle* delivered to the officers and men of a unit of the Korean People's Army in February 1958, President Kim Il Sung said about taking over the revolutionary traditions. He stated: **"The only traditions we should carry forward are the revolutionary traditions of the Anti-Japanese Guerrilla Army which fought to defend the interests of the working people under the banner of Marxism-Leninism."** (Kim Il Sung, *Selected Works*, Eng. ed., Vol. II, p. 72.) Precisely these "revolutionary traditions are the historical roots of the Party and revolution, a priceless revolutionary asset which is a source of strength in the revolution and construction". (*KIM IL SUNG, Short Biography*, Eng. ed., Vol. II, p. 157.) The inheritance of the revolutionary traditions means "to inherit the ideological system of the Anti-Japanese Guerrilla Army, and its fine method and style of work". (Kim Il Sung, *Selected Works*, Eng. ed., Vol. II, p. 66.) Later President Kim Il Sung said: **"Profound education in the revolutionary traditions has the greatest effect on the revolutionization of people and the establishment of the monolithic**

ideological system." This education has been conducted thoroughly to the letter throughout the Republic. It is carried on in all enterprises, cooperative farms and institutions, to say nothing of schools from nurseries to universities. These facts are what attracts the attention of the foreigners visiting and inspecting the Republic.

The inheritance of the revolutionary traditions is defined in Article 3 of the Constitution, and this shows the original character of the Republic.

4) ESTABLISHMENT OF THE MONOLITHIC IDEOLOGICAL SYSTEM AND DEMOCRATIC CENTRALISM

Next, we will see the establishment of the monolithic ideological system. As stated above, this is related to the inheritance of the revolutionary traditions. In March 1958 President Kim Il Sung stressed the need to pay primary attention to establishing the monolithic ideological system of the Party. He also referred to it in a number of his speeches before local Party committee chairmen and people's committee chairmen and in his writings. (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, pp. 150-51.) President Kim Il Sung said: "Essential to the Party to overthrow capitalism and win victory for socialism and communism is an iron unity, based on the principle of democratic centralism." (Kim Il Sung, *Selected Works,* Eng. ed., Vol. II, pp. 378-79.) An iron unity can be attained only by thoroughly equipping the entire Party members and working people with the Party's policies. In this connection President Kim Il Sung pointed out the principle of democratic centralism, which merits particular attention. Clarified in Article 9 of the Constitution, the principle underlies the formation and running of the state structure as prescribed for in the new Constitution.

Another important thing in Party work is to properly conduct work with the masses. President Kim Il Sung taught that by this work Party organizations should correctly combine the mass line with the class line so as to educate and remould the masses and unite them firmly around the Party. This method of work is also defined in Article 10 of the Constitution. It is designed to strongly oppose bureaucratism and commandism inconsistent with the mass line, put the mass line into practice while establishing the monolithic ideological system, and,

induce the masses, through persuasion and education, to take part in the revolution voluntarily and purposefully.

To sum up what has been described above, it may be said that the Party's guidance of administrative and economic work "means having collective discussion at Party committees and, on this basis, defining the correct orientation and ways for the execution of the Party's policies, adopting correct decisions and rousing the Party organizations concerned and their members to action so as to ensure the correct implementation of the decisions politically", and that it "enables the Party to give firm political guidance, helps administrative and economic organizations enhance their independent role and makes Party work meet the fundamental demands of the mass line in a thoroughgoing way". (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 153.)

The Party's monolithic ideological system is closely related to the leader's unitary guidance system which forms the main content of the new Constitution in the system of state organs. As regards this, see the third section of the following Chapter and Chapter V of Part Two. President Kim Il Sung said: "The relationship between the Party committee chairman and the administrator can be compared to that of the helmsman and the oarsman of a boat. Only when the administrative worker rows in front, while the Party committee chairman, sitting in the stern and taking the tiller, directs the former to the right or left to keep the boat on the right course, can the boat move straight ahead." (Kim Il Sung, *Selected Works,* Eng. ed., Vol. II, pp. 340-41.)

5) CULTURAL REVOLUTION—EDUCATIONAL SYSTEM, PUBLIC HEALTH AND SANITATION, AND THE LITERARY AND ART POLICY

President Kim Il Sung's leadership is characterized by the fact that it is based on the Juche idea that "regards man as the most precious treasure in the world which cannot be exchanged for anything". People in the Republic say: "The children are kings." For the children are the succeeding generation and it is they who will carry on their shoulders the future of the country and society. Everything—the development of the productive forces and the technical revolution—depends on

men. It is impossible to achieve these without training men of ability. The uninterrupted advance towards the complete building of socialism and, further, towards communism demands that the individual members of society also perfect themselves in various fields—culture, education and skills. And this process will continue without letup "until labour is not merely a means of livelihood but a primary need of life". President Kim Il Sung said: **"At the present stage of socialist construction when socialist relations of production have been established and our national economy has entered the period of technological reconstruction, the cultural revolution confronts us as a pressing task. Unless the cultural revolution is carried out, the technological reconstruction of the national economy cannot be ensured successfully nor can socialist relations of production be consolidated."** (*Ibid.*, p. 216.)

A concrete problem facing the solution of this is the nation's educational work. In 1958 the universal compulsory seven-year secondary education was introduced, and in 1959, the following year, it was made completely free. In the same year the new systems of secondary and higher technical schools were introduced with a view to training technical personnel. Thus, a policy was orientated for "training all working people to become cultured and all-round men and women with both general knowledge and some technical know-how in order to meet the demands arising in socialist construction". (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 188.)

Under the leadership of President Kim Il Sung, the school education, as a policy of the Workers' Party of Korea, was steadily improved in keeping with the progress of each national economic plan. This is something to startle the people. In 1967 the universal compulsory nine-year technical education was enforced, and under the Six-Year Plan starting from 1971 it was envisaged to go over to universal compulsory ten-year senior middle school education and enforce compulsory one-year preschool education within the plan period. This is stipulated in Articles 40-43 of the Constitution. Completely-furnished nurseries and kindergartens must also be taken into account.[3]

Showing deep concern for the system of popular education, President Kim Il Sung gave close attention to the content of education, too. In a number of his speeches and writings he "perfected the whole system of socialist pedagogy". (*Ibid.*, p. 205.) Its objective is to educate and rear the successors to

the revolution on communist lines, and its principle lies in inducing people to render positive service to society and the people and revolutionizing, working-classizing and communizing them". About this President Kim Il Sung said on many occasions. His recent speech is *On the Thorough Implementation of the Principles of Socialist Pedagogy in Education.* It was delivered at the National Meeting of Teachers on December 27, 1971. In the speech he said: **"Education in socialist society should imbue the new generation with communist ideology and impart them knowledge needful to the building of socialism and communism. Thus, it must serve the purpose of making them oppose the exploiting system, defend the socialist system and work with devotion to build a communist society which is free from class distinctions and where everybody enjoys a happy life."** (Kim Il Sung, *On the Thorough Implementation of the Principles of Socialist Pedagogy in Education,* Eng. ed., pp. 2-3.) That is why Article 39 of the Constitution stipulates: "The State carries into effect the principles of socialist pedagogy and brings up the rising generation to be steadfast revolutionaries who fight for society and the people, to be men of a new communist mould who are knowledgeable, virtuous and healthy."

Public health and sanitary work designed for physical perfection of men has become an important link in the chain of the cultural revolution, and this work has been considerably improved and expanded. A completely free medical care system is in force. Furthermore, the Republic's "public health service expanded rapidly with the emphasis on prevention. The working and living conditions of our population became neat and clean, virulent epidemics and various other diseases were eradicated and the working people's health greatly improved". (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 192.) The outstanding success in this work has been previously mentioned. Thus, Article 48 of the Constitution defines: "The State consolidates and develops the system of universal free medical service and pursues a policy of preventive medical care so as to protect people's lives and promote the health of the working people."

Literature and art hold an important place in the field of culture. President Kim Il Sung treated of this question and gave guidance to its solution already before the founding of the Republic.[4] It dates back to the days of the anti-Japanese armed struggle. The original work of the revolutionary opera "The Flower Girl" which was presented and well received in

Japan and other countries and other works had been created in those days. (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. I, p. 63.) When the Chollima Movement was unfolded, President Kim Il Sung raised the problem, "Let us create literature and art suitable to the Chollima age". He said: **"Our literature and art should by no means depart from the interests of the revolution and the Party's line, nor should they tolerate those elements which cater to the taste and liking of the exploiting classes. Only revolutionary literature and art based thoroughly on the line and policy of the Party can truly enjoy the love of the masses of people and become a powerful Party weapon in educating the working masses in the revolutionary spirit of communism."** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. II, p. 590.) And, the problems President Kim Il Sung set forth as the Party's policy on literature and art are of a very wide range; they include the problems of partizanship and serve-the-people character of literature and art, which are socialist in content and national in form, of critically taking over and developing cultural heritage, of assimilating advanced foreign culture in a critical way, and of actively carrying out mass cultural work and turning literature and art into the possession of the people. This is correctly expressed in legislation in Article 45 of the Constitution.

6) CHONGSAN-RI SPIRIT AND CHONGSAN-RI METHOD

These terms were originated from a farm just as the term of the Taean work system which is referred to in the following section came from a factory. In February 1960 President Kim Il Sung betook himself to the Chongsan Cooperative Farm in Kangso County, South Pyongan Province, where he gave on-the-spot guidance. He conducted similar guidance there on 24 occasions before and after that. At first he spent 15 days there, concretely studying and analysing everything in person. On this basis, he saw to it that "a system of work was thoroughly established whereby Party and state functionaries personally went down to lower units to help the functionaries and masses there in a concrete way", that "the centre helped the province and the province the county" and, in particular, that "the functionaries of county organizations, the lowest units of Party and state leadership, gave responsible assistance to the ri by going

down to these basic rural production units regularly and directly organizing and doing Party and economic work together with the ri functionaries". (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 216.)

This new system of work was fundamentally different from the old sytem and style of work which was divorced from the productive activities of the masses, that is, the way the higher body directed and supervised the lower in an administrative way. What underlies the new system of work is the mass line. The method of work formulated by President Kim Il Sung through his careful observation, study and examination of a cooperative farm was that of "completely transforming Party work into work with people and conducting Party work militantly in close combination with the productive activities of the masses". Later, further concretizing it, President Kim Il Sung said as follows: **"The essence of the Chongsan-ri method is that the higher body helps the lower, and the superior assists those under him and always goes down to the work places in order to have a good grasp of actual conditions and find correct solutions to problems, gives priority to political work, work with people in all undertakings and enlists the conscious enthusiasm and initiative of the masses so as to ensure the fulfilment of revolutionary tasks."** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. IV, p. 312.)

Saying that practical and creative wisdom is found among the masses and all work can be accomplished only if the masses are brought into action, President Kim Il Sung said that leadership is effective only if one relies on the masses, constantly draws on their wisdom and strength and learns from them and teaches them. (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 218.) This represents the very revolutionary mass line of Korea. Then, at the Fourth Party Congress held in September 1961 President Kim Il Sung stressed the need to thoroughly put the Chongsan-ri method into practice, and later at the Fifth Party Congress held in November 1970 he pointed out: **"In the course of generalizing the Chongsan-ri spirit and Chongsan-ri method, which were an embodiment of the traditional, revolutionary mass line of our Party in the actual socialist construction, new changes were effected in the work of the state and economic organizations."** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. V, pp. 434-35.)

All these are briefly expressed in Article 12 of the Constitu-

tion. The Chongsan-ri spirit and Chongsan-ri method are one of the important principles to be observed in political work as a whole.

7) TAEAN WORK SYSTEM

The completion of the socialist transformation of production relations and the establishment of the socialist system of ownership throughout the country alone will not solve the question of the guidance and management of the socialist economy. In carrying out the tasks of the Seven-Year Plan it was a very pressing question to improve the state guidance of the national economy and the management and operation of enterprise in compliance with the actual requirements of the economic development. The question was solved by the establishment of a new socialist industrial management system, the fruition of President Kim Il Sung's on-the-spot guidance at the Taean Electrical Machinery Plant in December 1961. The system is called the Taean work system after the name of the place of his on-the-spot guidance as in the case of Chongsan-ri. On that occasion, too, President Kim Il Sung gave concrete guidance at the plant over ten days.

The new economic management system is defined as follows: "**The Taean work system is a system of economic management admirably suited to the nature of a socialist system, for it stipulates that the factories and enterprises conduct all their management activities under the collective leadership of Party committees and carry out their economic tasks by giving precedence to political work, infusing the producing masses with an enthusiasm for work; that superiors do everything they can to help their subordinates and that the economy be managed and operated in a scientific and rational way.**" (Kim Il Sung, *Selected Works,* Eng. ed., Vol. V, p. 435.)

How does the new system differ from the old system? It is fundamentally different in the following four points:

First, it defines the Party committee as the highest leading body in each economic unit such as a factory and a mine, brings into a system of collective leadership by the Party committee in enterprise management, and thus puts an end to the old system of one-man management by the director. Collective leadership means collectively discussing and deciding upon

ways and means for settling questions that arise in economic work in each period, and directing and supervising the successful implementation of the decisions adopted. Under the one-man management system the responsible person like the director was liable to fall into subjectivism and arbitrariness and, accordingly, do work by command and administrative method.

Second, it makes it possible to actively organize and mobilize all the working people of the enterprises for the carrying out of the revolutionary tasks, and enables the broad masses to display their initiative and activity in production with the attitude of masters. The old system revealed many shortcomings in ensuring collectivism in this sense.

Third, it ensures the management and operation of the economy by means of giving precedence to political work and laying the main stress on work with people. It makes it possible to correctly inform the masses of the Party's intentions and heighten their political consciousness and ideological level so that they will carry out their economic assignments with willing enthusiasm. Under the old system work was divided in such a way that Party workers did only political work, and administrative and economic functionaries only economic and technical work, but under the new economic management system all functionaries are bound to manage the economy, giving precedence to political work, work with people under the leadership of the Party committee.

Fourth, it guarantees that the higher body helps the lower, and the superior, his subordinates. Under the old system superiors summoned their subordinates and issued orders bureaucratically. It gave rise to a departmentalism. But under the new system "superiors and subordinates, technicians and workers, producers and Party, administrative and economic functionaries teach and learn from each other and trust each other so as to unite and cooperate in a comradely way". (*KIM IL SUNG, Short Biography,* Eng. ed., Vol. II, p. 252.)

As is known, the method of economic management of enterprise is a matter of importance affecting the destiny of economic development in every socialist country. The establishment and popularization of the Taean work system was of immeasurably weighty importance for the development of Korea's socialist economy which was being highly industrialized.[5] The provision of the Taean work system is to be found in the first part of Article 30 of the Constitution.

8) SYSTEM OF AGRICULTURAL GUIDANCE BY INDUSTRIAL METHOD OF MANAGEMENT

President Kim Il Sung also directed attention to the execution of the policy of radically improving the method of the guidance and management of agriculture. In December 1961 he conducted on-the-spot guidance for the agricultural leadership personnel and the management functionaries of the cooperative farms in Sukchon County, South Pyongan Province. On this basis, he took the epochal measure of establishing a county cooperative farm management committee in each county and a provincial rural economy committee in each province and of reorganizing the Ministry of Agriculture into an Agricultural Commission. Thus, a new system of agricultural guidance was established. The characteristic feature of the county cooperative farm management committee is that it gives guidance to agriculture by the industrial method of management. This guidance "means increasing technical guidance in production, directly supervising, organizing and concretely guiding all aspects of agricultural management, from planning to the organization of production, the utilization of land, farm machinery and irrigation facilities, technological development, the supply of materials, the allocation and organization of the labour force, the distribution of produce and financial affairs." (*Ibid.*, pp. 256-57.) Here he lays special emphasis on technical guidance in production.

I should like to give a brief account of it. Unlike the present kolkhoz and people's commune, the cooperative farms in the Republic are not possessed of tractors, combines, trucks and other farm machinery but borrow them from the state farm machine stations and obtain the supply of chemical fertilizers from the state material supply agencies. Large-scale irrigations are also put under state control (second paragraph, Article 26 of the Constitution). The county cooperative farm management committee maintains unified control over all the enterprises serving agriculture in the county and gives technical and productive guidance to the cooperative farms there.

This is stipulated in the latter part of Article 30 of the Constitution.

In this connection, the second paragraph of Article 26 of

the Constitution prescribes: "The State undertakes at its own expense the building of production facilities for the cooperative farms and modern houses in the countryside." Reference to production facilities has already been given above. This provision contains a profound meaning. Namely, it is "the most rational way of bringing cooperative ownership constantly closer to ownership by all the people, by strengthening the leading role of state ownership over cooperative ownership and by establishing a closer relationship between these two forms". (Kim Il Sung, *Selected Works*, Eng. ed., Vol. III, p. 447.) Bringing closer and fusing the two forms of socialist ownership (ownership by the whole people and cooperative ownership) is a pressing question facing each socialist country. The specification of its ways and means in Article 21 of the Constitution is a unique one, the like of which cannot be seen anywhere else.

The provision of the Constitution for building modern farm houses at state expense, which is an unparalleled one, is also a legal expression of what has become a reality. This reality itself is an amazing thing.[6]

Furthermore, the system of agricultural tax in kind was abolished by law already in 1966. The new Constitution provides for: "The State abolishes taxation, a hangover of the old society" (Article 33). These measures are designed to improve the living conditions of the peasants and, at the same time, narrow down the distinction between the working class and the peasantry.

9) THREE REVOLUTIONS AND THE THREE MAJOR TASKS OF TECHNICAL REVOLUTION

In the Republic you can often hear the words of the three revolutions and the three major tasks of the technical revolution. The former was mentioned in *Theses on the Socialist Rural Question in Our Country* which was published by President Kim Il Sung in February 1964 and adopted as a Party programme, and the latter was laid down by President Kim Il Sung at the Fifth Congress of the Workers' Party of Korea in November 1970. Both were pointed out in President Kim Il Sung's report on the draft Constitution. Though the provisions of the Constitution have not such phrases, their substance is reflected in them.

The three revolutions mean "thoroughly carrying out the technical, cultural and ideological revolutions in the countryside". They are linked up with each other. The ideological revolution must be given precedence, while at the same time the technical and cultural revolutions must be energetically promoted. The Theses also suggested the strengthening of "the leadership of the working class over the peasantry, the assistance of industry to agriculture and the support of the towns to the countryside". These are contained in Articles 25 and 26 of the Constitution. They constitute one of the fundamental requisites for the elimination of the distinctions between town and country. The Theses also points out: "The guidance and management of agriculture should be brought continuously to approach the advanced level of enterprise management of industry, the bonds between all-people property and cooperative property should be strengthened and cooperative property should be steadily brought closer to property of the whole people." This is related to what was mentioned above, and it is defined in Article 21 of the Constitution. This Article stipulates that it is carried out "according to the voluntariness of the whole membership" of cooperative organizations. It is in no way done by force.

Next, let us see the three major tasks of the technical revolution which were referred to in President Kim Il Sung's report to the Fifth Congress of the Workers' Party of Korea. He pointed out: "**We have to launch a widespread technical renovation movement in industry and agriculture and all other branches of the national economy so that we will narrow down to a considerable extent the distinction between heavy and light labour, between agricultural and industrial work and free women from the heavy burden of household chores. These are precisely the three major tasks of the technical revolution which we should aim to fulfil in the next few years.**" (Kim Il Sung, *Selected Works,* Eng. ed., Vol. V, p. 448.) This is previously described. It must be said that lightening the women's burden of household chores represents the embodiment and great development of the "actual emancipation of women" which Lenin defined as a "bud of communism" in his work *A Great Beginning* in June 1919.[7] It is legalized in the third paragraph, Article 62 of the Constitution, and this is also explained above.

Notes

1. This remark deserves attention because it was made in 1955, the year before the 20th Congress of the Communist Party of the Soviet Union.

2. "It is Comrade Chin Ung Won, a smelter of the Kangson Steel Works, who first proposed the Chollima Workteam Movement." The Party "actively supported his excellent proposal." (Kim Il Sung, *On the Chollima Movement and a Great Upsurge in the Building of Socialism,* Korean ed., p. 136.)

3. These attract the greatest attention and admiration of those who visit the Republic for the first time. Well-furnished nurseries and kindergartens are to be seen not only in towns but also in factories, cooperative farms and all other work places.

4. Refer to Comrade Kim Il Sung's *Theory on Revolutionary Literature and Art.* It contains the articles written since May, 1946.

5. On page 253 of *KIM IL SUNG, Short Biography* (Eng. ed., Vol. II) it is written that a materials supply system by which the higher levels directly supply materials to the lower and a new supply-service system were established. The "supply-service system" is a system for guaranteeing the necessities of life—food, clothes and houses—for the workers. The system works when factories and enterprises are built and operated. A deputy director of the factory or enterprise is exclusively appointed for it. Production is closely linked with life, as the front is with the rear in the battle. This is a specific feature of the Republic's enterprise management, which we should learn from.

6. Throughout the period from the Li Dynasty to Japanese colonial rule Korean farm houses had been shabby straw-thatched ones. During the Korean war even these became the targets of the US army's general bombing. One of the centuries-old desires of the peasants was "to live in a tile-roofed house". Today everywhere in the Korean countryside there are to be seen only modern brick houses enclosed with fences.

7. Lenin, *Collected Works,* Japanese ed., Vol. XXIX, p. 515.

3. JUCHE IDEA, THE LINE OF INDEPENDENCE, SELF-SUSTENANCE AND SELF-DEFENCE AND THE NEW CONSTITUTION

The Democratic People's Republic of Korea is a Juche country, and its new Constitution may also be called a Juche Constitution. The reason is that the state activities of the Republic as well as the activities of the masses or individual citizens are all based on the Juche idea and this is vividly reflected in the new Constitution. And the line of independence, self-sustenance and self-defence is an embodiment of the Juche idea in all fields of state activities. This is also mirrored in the new Constitution. Therefore, in putting a conclusion to this Chapter, I feel it necessary to study President Kim Il Sung's report on the draft Constitution and the provisions of the Constitution from such a viewpoint notwithstanding the repetition of quotations.

Article 4 of the Constitution reads: "The Democratic People's Republic of Korea is guided in its activity by the Juche idea of the Workers' Party of Korea, a creative application of Marxism-Leninism to the conditions of our country." This provision is really unique and shows a specific character of the Republic. President Kim Il Sung gave explanation to the Juche idea here and there in the report on the draft Constitution. "**Man is the master of nature and society and the main factor that decides everything. The masses of the people are masters of socialist society, and it is also they who are able to promote the revolution and construction work.**" "**Our socialist system is the most advanced social system where the working masses are masters of everything and where everything in society serves the working masses.**" "**The working masses transform nature and society and make history. The creative labour and struggle of the working masses produce all the material riches of society and bring about social renovation and progress. That is why the working masses should become masters of society and enjoy all its material wealth.**" "**The Government of our Republic which has inherited the glorious revolutionary traditions of our people is guided in its activity by the Juche idea which is a creative application of Marxism-Leninism in the conditions of our country, and strives to execute the lines and policies of the Workers' Party of Korea.**"

The Juche idea, in short, means establishing Juche, taking the attitude of a master. Speaking of the establishment of Juche, President Kim Il Sung said: "**To establish Juche means holding fast to the principle of solving for oneself all problems of the revolution and construction in conformity with the actual conditions of one's country, and mainly by one's own efforts. This is a realistic and creative stand which opposes dogmatism and applies the universal truth of Marxism-Leninism and the experience of the international revolutionary movement to one's country in conformity with its historical conditions and national peculiarities. This represents an independent stand of discarding the spirit of relying on others, of displaying the spirit of self-reliance and solving one's own affairs on one's own responsibility under all circumstances.**" (Kim Il Sung, *Selected Works,* Eng. ed., Vol. IV, pp. 228-29.) Dogmatism means the attitude of trying to copy from what a man of authority said, applying it mechanically without deeply understanding its spirit and without grasping and considering actual conditions. It had persisted historically in the revolutionary struggle of the Korean Communists.

To take the attitude of a master means to maintain an independent stand and keep a creative stand. The former embodies the idea that the people are masters of the revolution and construction; it means discarding the spirit of relying on others, defending independence and solving one's own affairs on one's own responsibility. It does not reject or underestimate aid from outside, but it also never allows it to take the place of the internal conditions. The creative stand means fulfilling the role of the transformers of nature and society on the part of the people. Man gets a full understanding of the actual conditions where he is and displays his original idea and creative talent to the full, and thus confidently solves problems under any difficulties.

This spirit is embodied in the line of "independence in politics, self-sustenance in the economy and self-defence in national defence". President Kim Il Sung set forth the line in a typical form in the Ten-Point Political Programme of the Republic entitled *Let Us Embody the Revolutionary Spirit of Independence, Self-sustenance and Self-defence More Thor-*

oughly in All Fields of State Activity which was announced at the First Session of the Fourth Supreme People's Assembly held on December 16, 1967. The First Point of the Political Programme reads as follows:

"The Government of the Republic will thoroughly implement the line of independence, self-sustenance and self-defence to consolidate the political independence of the country, further strengthen the foundations of an independent national economy capable of ensuring the complete reunification, independence and prosperity of our nation, and increase the defence capabilities of the country so as to reliably safeguard its security on the basis of our own forces, by excellently materializing our Party's idea of Juche in all fields." (*Ibid.*, p. 553.)

In the speech he went on to say:

"Our Party's idea of Juche represents the most correct Marxist-Leninist idea of leadership for the successful accomplishment of our revolution and construction and is the invariable guiding principle of the Government of the Republic in all its policies and activities.

"Only by firmly establishing Juche can each country repudiate flunkeyism to great powers and dogmatism and creatively apply the universal truth of Marxism-Leninism and the experience of other countries in line with its historical conditions and national characteristics; always solve its own problems by itself on its own responsibility, eliminating reliance on others while displaying the spirit of self-reliance; and, accordingly, carry on its revolutionary cause and construction work successfully." (*Ibid.*, p. 553.)

The Political Programme is run through with the Juche idea and, furthermore, concretely presents the way that this idea should be. The last paragraph shows that the Juche idea is of universal significance not only in Korea but also in the world. This idea has been splendidly carried into effect in the Republic. The successes scored so far in the revolution and construction are the "brilliant fruition of the great vitality" of the Workers' Party's "Juche idea and the line of independence, self-sustenance and self-defence, the embodiment of that idea in all fields".

In the speech stress was laid on the direct relationship between economic self-sustenance and political independence.

"Economic independence is the material foundation for political independence. A country which is economically dependent on outside forces becomes a political satellite of other countries: an economically subjected nation cannot free itself from colonial slavery politically.

"Without building an independent national economy it is impossible to establish material and technological foundations for socialism, and build socialism and communism successfully". (*Ibid.*, p. 557.) These words warn the danger of neo-colonialism in the so-called third world on the one hand and, on the other, clarify the basic line of the socialist revolution and construction.

Let us see constitutional stipulations. How is the line of independence, self-sustenance and self-defence expressed in them? The Republic "is an independent socialist State" (Article 1). The Republic "rests on the foundation of an independent national economy" (Article 2). The Republic "carries through a self-defensive military line" (First paragraph, Article 14). "The foundation of an independent national economy in the Democratic People's Republic of Korea is the material guarantee of the prosperity and development of the country and the improvement of the people's well-being" (First paragraph, Article 24). "The State pursues a tariff policy in order to protect the independent national economy" (Third paragraph, Article 34). It is needless to say that these constitutional expressions are never seen in other countries.

Also, it should not be overlooked that in the Republic the explanation of socialist ownership is founded on the Juche idea. The report on the draft Constitution reads: **"People's position in society is determined by whether or not they hold state power and the means of production in their hands. Only those who have both can be the masters of society." "The fact that the working masses...are the masters of...state power and the means of production...is the basis of all the advantages and indestructible vitality of the socialist system."**

The Juche idea also finds expression in the cultural provisions of the Constitution. The articles which directly point it out provide for "thoroughly establishing Juche in scientific research" (Article 44) and developing "a Juche-oriented, revolutionary literature and art" (First paragraph, Article 45). The provisions for education and Korean language (Articles 39 and 46) are also run through with the Juche idea. This is illustrated in the foregoing section.

Let me remind you once again that the Juche idea considers men as the most precious beings. This is more than natural

since men are masters of society, transform nature and society and make history. Accordingly, as pointed out in the report on the draft Constitution, "...The state serves the interests of the people and is responsible for guaranteeing the material and cultural well-being of the working people." This is based on completely different foundation from the humanitarian theory of social well-being such as "charity" in bourgeois society. In the first paragraph, Article 25 of the Constitution of Japan, it is stipulated that "All the people are entitled to the right to enjoy a healthy and cultured life to the minimum limit." In the eyes of the government authorities this "minimum limit" is the maximum limit of social maintenance. In any of the socialist countries where exploitation is abolished there is not and cannot be a constitution containing such an expression. As President Kim Il Sung said, the socialist countries strive for "providing an equally abundant life for the people and systematically improving their material and cultural standards," and this is their common intrinsic nature. What is more, the new Constitution of the Republic finds the reason for it in the principle of "regarding man as the most precious being", which, it may be said, tells the essence of the socialist system.

The report on the draft Constitution stresses the significance the Juche idea acquires at present as follows:

"What is most important in revolutionizing and working-classizing the whole of society is to equip the working people firmly with our Party's monolithic idea, the Juche idea. Our Party's Juche idea is the only correct guide to the successful carrying out of the Korean revolution. Only when the working people are firmly armed with this idea can they have a genuine revolutionary world outlook and worthily discharge the tasks assigned to them in the revolutionary struggle and construction work. We should intensify the education of the working people in our Party policies and the revolutionary traditions to arm them firmly with our Party's monolithic idea, the Juche idea, thereby training all of them to be true Red fighters of the Party, communist revolutionaries, who adhere to revolutionary principles under any adversity and carry through the Party's lines and policies." These remarks show that the Juche idea serves as the principle of education in the Republic (Articles 36 and 39).

CHAPTER IV

CHARACTERISTICS OF THE NEW SOCIALIST CONSTITUTION

The new Constitution of the Republic is, in a word, a constitution aimed at accomplishing socialism and realizing communism. This, it might be said, indicates its fundamental nature. Accordingly, each of its provisions is the one which was enacted and should be applied and put into effect, on the basis of that purpose and spirit. It gives expression to the independent nature of the Republic and the characteristic feature of the new Constitution. Of this, I am going to make a little more detailed account in this chapter.

In this, attention must be called to the fact that many of those characteristics can be found in the report to the Fifth Congress of the Workers' Party of Korea on the work of the Central Committee which was delivered by President Kim Il Sung in November 1970. I have made mention of them in Chapter I, but we shall come back to them in more detail in the second section of this chapter.

And, compared with the old Constitution, the new Constitution shows a notable progress in regard to the system of the state structure, which I have not yet referred to. On the features of this progress, too, I will make a brief comment.

Along with this, I will bring the characteristics of the new Constitution into more marked relief through a comparison between it and the constitutions of socialist countries which are in force since 1960. It is with this in view that I draw comparison, although the comparative method is not my chief intention.

1. PROVISIONS OF THE ESSENCE OF POWER AND THE STAGES OF THE DEVELOPMENT OF SOCIALISM

The 1948 Constitution of the Republic did not specify the essence of power or use the term "socialism". It only provided that "Our state is the Democratic People's Republic of Korea" (Article 1). The same is true of almost all the constitutions of the People's Democracies in those days. In fact, with the establishment of the People's Committee of North Korea in February 1947 the people's power had already become a power of proletarian dictatorship and entered the preparatory stage for transition from capitalism to socialism, as stated in the first section of Chapter II. However, it was named as such because at that time it was faced with the urgent task to reunify the whole land and its socio-economic system had just stepped into the road of development. The new Constitution not only provides that the Republic is a "socialist State", but also makes clear that the Republic "exercises the dictatorship of the proletariat" (Articles 1 and 10). It shows a remarkable change and progress over the previous Constitution.

As for the term "socialism", it could be found also in the provisions of the constitutions of People's Democracies during the Second World War and in the early postwar years.[1] But, as referred to in the third section of Chapter I, it was since 1960 that these countries defined themselves as socialist states in their constitutions, and this even became a general trend of the new constitutions of the socialist countries.[2] Thus all of these constitutions made clear the leadership of the working class and provided that the Marxist-Leninist party of the working class assumes the leadership over the state.[3] In this respect, the Republic enacted a different provision. It adopted the following expression: The Republic "is guided in its activity by the Juche idea of the Workers' Party of Korea, a creative application of Marxism-Leninism to the conditions of our country" (Article 4). However, it is only the Republic's new Constitution and the 1936 Constitution of the Soviet Union that specify the dictatorship of the proletariat.

But attention must be paid to the fact that in the Republic the meaning of the term "the dictatorship of the proletariat" (Article 10) is considered from the independent point of view on the basis of President Kim Il Sung's Juche idea, and there is no sign of having accepted the views of other socialist countries in a dogmatic or flunkeyist way. As is generally known, there has been an international controversy on this point. This needs explanation, but I will give it later. I will first take up the question as to how each socialist country defines the present stage of the development of the socialist revolution and socialist construction and whether it has any definition of it in its constitution. This question has to do with the basis of the class struggle and the basic line of each country.

As for the present stage, it is stipulated in the Republic's Constitution that "...class antagonisms and all forms of exploitation and oppression of man by man have been eliminated for ever" (First paragraph, Article 6). It would be a great mistake to take this for the completion of socialist construction. The Republic is now "accelerating socialist construction to the maximum by constantly developing the Chollima Movement in depth and breadth" (Second paragraph, Article 13). The class struggle, too, is not yet brought to its end at all. The necessity for the dictatorship of the proletariat will be felt for a good long time in the future, too.

However, a certain socialist country holds that "the complete and final victory of socialism and the transition of society to the full-scale building of communism" have already been ensured at the present stage, and thus stipulates in the party programme that the dictatorship of the proletariat has fulfilled its historical mission and become unnecessary and that the country has developed from the state of proletarian dictatorship into an all-people state. And a certain other country proudly points out in the preamble of its constitution that the task for transition from capitalism to socialism has already been accomplished and today there arises the task of building communism in an all-round way. There is something doubtful in these definitions even in the light of the cognizance of the present stage. In actuality, as may be naturally expected, none of the new constitutions of other People's Democracies modelled themselves on the above constitutions. They put forth "the overall construction of socialism" in the party programmes or provided for the "building of a developed socialist society" and "the further development of socialism" in the introductions of their constitutions.[4]

Now, apart from the question of whether the cognizance of the present stage is correct or not, there has arisen internationally a serious theoretical question of contention as to how long the dictatorship of the proletariat will continue, whether it will be extended to the higher phase of communism or it will last until the completion of socialist construction (if so, it means an all-people state). The dictatorship of the proletariat is mentioned in Marx's *Critique of the Gotha Programme:* "Between capitalist and communist society lies the period of the revolutionary transformation of the one into the other. There corresponds to this also a political transition period in which the state can be nothing *but the revolutionary dictatorship of the proletariat.*" (Italics are the original's.) As for this transition period, a certain country regards that it will continue to the first stage of communism (socialism) and a certain other country, to the high phase of communism.[5] According to the latter's view, the transition period is very long and lasts for scores of years or over a hundred years. Neither Marx and Engels, nor Lenin who developed their ideas theoretically touched upon it.[6] Their days were not the time to describe the future transition period. It is not until the present stage that the transition period has come to the fore as a new problem.

In May 1967 President Kim Il Sung cleared up the problem in his essay entitled *On the Questions of the Period of Transition from Capitalism to Socialism and the Dictatorship of the Proletariat.*[7] As an essay of epochal significance in the history of Marxist-Leninist theory, it deserves a careful study. But I will touch upon it as far as there is the need to correctly grasp the meaning of the wordings of the new Constitution of the Republic such as "to exercise the dictatorship of the proletariat" and the elimination of class distinction. The President defined that the period of transition "will be over only when a classless society with no distinction between the working class and the peasantry is realized" (See Article 26 of the Constitution). This is the "demarcation line of the transition period", but the high phase of communism is still far distant. This phase means "not only a classless society—but also a highly advanced society where there is no distinction between mental and physical labour and each member of society works according to his ability and receives according to his needs" (See Article 25 of the Constitution). The task to reach this goal cannot be accomplished without the dictatorship of the proletariat. Furthermore,

"so far as the world revolution has not yet been accomplished and capitalism and imperialism remain in existence... the dictatorship of the proletariat will have to remain in existence..." even if communism is materialized in one country or in some areas.

The definition of the dictatorship of the proletariat in the new Constitution must be construed into having such a deep meaning. In this connection, I should like to study the new provision that "The State, in accordance with the principles of Marxism-Leninism and proletarian internationalism, unites with the socialist countries, unites with all peoples of the world opposed to imperialism and actively supports and encourages their national-liberation and revolutionary struggles" (Third paragraph, Article 16).

Notes

1. As an example of the constitution which adopted the word "socialism" can be cited the former Constitution of the Mongolian People's Republic in June 1940 during the Second World War, which stipulated that "The state ensures the non-capitalist road in the development of the country in order to go over to socialism in future" (Article 1). Besides, we can cite postwar examples. The Hungarian Constitution in August 1949 says in its preamble that "...the laying of the foundations for socialism has already started.... We are advancing toward socialism along the path of people's democracy", and it also points out the socialist prinoiple of distribution (Fourth paragraph, Article 9). The Constitution of the Albanian People's Republic amended in July 1950 refers to "the building of the foundations of socialism" (Article 3). The introduction of the old Constitution of Romania in September 1952 says about "the work of socialist construction in our country". The word "socialism" is not applied in the constitutions of other countries. At the time of drafting the Joint Programme of the Chinese People's Republic in October 1949 there was an argument over the word "socialism". But, after all, it was decided not to adopt it for the present.

2. Through the amendment of the Hungarian Constitution on April 19, 1972 (a drastic amendment not covering the full text), "the state of the workers and peasants" was replaced by a "socialist state" (First paragraph, Article 2).

3. Definition of the guiding party is found in Article 4 of the Constitution of Czechoslovakia, in the first paragraph, Article 1 of the Constitution

of the German Democratic Republic, in Article 3 of the Constitution of Romania, in the introduction and Article 3 of the Constitution of Bulgaria and in Article 3 of the Constitution of Hungary. Most of the constitutions of the East European countries have such a definition. Besides, there are many constitutions which specified the united front as well.

4. The November 1962 Programme of the Socialist Unity Party of Germany and the preambles of the Constitutions of the Bulgarian People's Republic and the Hungarian People's Republic, etc.

5. Refer to *The Theory and Practice of the Dictatorship of the Proletariat* by Fukushima Masao.

6. "...How rapidly this development (of the productive forces of human society) will proceed, how soon it will reach the point of breaking away from the division of labour, of doing away with the antithesis between mental and physical labour, of transforming labour into 'the prime necessity of life' —we do not know and cannot know." (V.I. Lenin, *Selected Works,* Eng. ed., Vol. II, p. 299.)

7. In regard to this essay, *The Present Situation and the Tasks of Our Party,* the report made by President Kim Il Sung in October 1966 prior to its publication, is a very important document. And see "Party" in Stalin's report to the 18th Congress of the Communist Party of the Soviet Union.

2. PROVISIONS WORTHY OF PROGRAMME AND LINE AND THEIR CHARACTERISTICS

As stated in the foregoing section, the new Constitution contains many programmatic provisions, the provisions concerning tasks to be carried out in the future. It goes without saying that such provisions are hardly found in the constitutions of the capitalist countries. The same is true of even the constitutions of other socialist countries. Explaining the draft Constitution of the Soviet Union in 1936, Stalin laid stress on the distinction between the programme and the constitution and made clear that the programmatic provisions would not be contained in the constitution. Following this line, the first Constitutions of the People's Democracies after the Second World War generally specified only the achievements attained so far. The Republic's former Constitution, too, belongs to this category. Nevertheless, the new Constitutions drawn up since 1960 broke this formula of constitutional definition and applied new methods of definition

one after another. First of all, they are provided with such phrases as the completion of socialist construction to be carried out by the state and the transition to communism.[1] Furthermore, they point out the comprehensive development of abilities of men, the members of society, and all-out state assistance to them. At the same time, the correlation between the state, society and men, too, is given constitutional expression as a basic line for the present and the future. These, in a broader sense, are called the provisions of programmatic character or the provisions worthy of lines. Now, I am going to examine how they are presented in the new Constitution of the Republic and what their characteristics are.

As above-mentioned, the new Constitution originally allots three chapters—politics, economy and culture—to defining the basic principles of socialism. In particular, a separate chapter is allotted to culture, which bespeaks the originality of the Constitution. Moreover, the stipulations of the basic rights and duties of citizens in Chapter IV must also be considered here in correlation with them. Now I will examine the provisions according to articles.

1) PROVISIONS ON THE DEVELOPMENT OF THE STATE AND SOCIETY

In aforesaid Articles 25 and 26, the elimination of various distinctions (between heavy and light labour, between agricultural and industrial labour, between physical and mental labour, between town and country and between the working class and the peasantry) provides an important condition for reaching the high phase of communism of which Marx made mention in *Critique of the Gotha Programme*[2]. Such a constitutional definition is rarely to be seen.[3] What Marx said in it is the realization of the completion of the social system under which the productive forces develop by leaps and bounds, men comprising that society are freed from their subordination to the division of labour, and individuals and their personality develop in an all-round way. Explaining on this point in *The State and Revolution,* Lenin said that it will become possible "when people have become so accustomed to observing the fundamental rules of social intercourse and when their labour becomes so productive that they will voluntarily work according to their ability."[4]

Therefore, as pointed out by Lenin, unless the human beings themselves are prepared ideologically, it is impossible for a society to advance toward communism. In the Republic, it is compared to a battle and called "the capture of the ideological and material fortresses", as expressed by President Kim Il Sung. Viewed from the social aspect, "the capture of the ideological fortress" means revolutionizing and working-classizing the whole of society through the intensification of the ideological revolution (Article 11) and eliminating the way of life left over from the old society and introducing the new socialist way of life in all fields (Article 38).

However, the task for "the capture of the material fortress" is also important. Leaving this task out, one cannot speak about socialist construction. Article 24 reads: "The State strives to consolidate and develop the successes in industrialization and further strengthen the material and technical foundations of socialism." The technical revolution, which is mentioned in Article 25, acquires a very great importance in the Republic. Along with the cultural revolution, it was emphasized at the Fourth Congress of the Workers' Party of Korea in September 1961 which adopted the Seven-Year Plan and then at its Fifth Congress in November 1970 which set forth the Six-Year Plan. At the Fourth Congress of the Workers' Party of Korea, President Kim Il Sung said: "The fundamental tasks of the Seven-Year Plan are to carry out a comprehensive technological reconstruction and the cultural revolution, and to make radical improvements in the people's living conditions by relying on the triumphant socialist system. We must carry out socialist industrialization, equip all branches of the national economy with modern technology, and decisively raise the material and cultural standards of the whole population. Thus, we will attain the high peak of socialism."

At the Fifth Congress of the Workers' Party of Korea, he said:

"We have to launch a widespread technical renovation movement in industry and agriculture and all other branches of the national economy so that we will narrow down to a considerable extent the distinction between heavy and light labour, between agricultural and industrial work and free women from the heavy burden of household chores. These are precisely the three major tasks of the technical revolution which we should aim to fulfil in the next few years." This is stipulated in Article 25 of the Constitution. The concrete methods are to widely introduce semi-automation and automation in all branches and effect comprehensive mechanization. It must be borne in mind that the economic development at the speed of Chollima owes to the initiative and creativity of the workers, and to steady technical innovation based on these.

2) PROVISIONS ON THE COMPLETE DEVELOPMENT OF HUMAN ABILITIES

The provisions of the chapter on culture are all new to us. Let us examine the following two provisions which are of programmatic character: The DPRK, "by thoroughly carrying out the cultural revolution, trains all the working people to be builders of socialism and communism who are equipped with a profound knowledge of nature and society and a high level of culture and technology" (Article 36). The state "...brings up the rising generation to be steadfast revolutionaries who fight for society and the people, to be men of a new communist mould who are knowledgeable, virtuous and healthy" (Article 39). The cultural revolution has a bearing on the capture of the ideological fortress as well. In the last days of his activities, Lenin passionately stressed the need of the cultural revolution in his testamental document.[5] The cultural revolution in the Republic has been carried out under the far favourable circumstances as compared with those in which Lenin had to face with numerous difficulties. Throwing all its energies into developing all the abilities of man, the state advances steadily towards the goal that "All people study and a socialist national culture flourishes and develops fully" (Article 35).

The provisions of the Constitution on the educational work and system (Articles 40-43) represent a uniquely detailed constitutional institution and, as aforesaid, they are aimed at training the younger generation to become a new type of men possessing wide knowledge, a good moral character and a sound body. What is noteworthy here is the stipulation for "carrying into effect the principles of socialist pedagogy" formulated by President Kim Il Sung. Concerning this, see the fifth subsection, the second section, the foregoing chapter. As the educational systems, the Constitution stipulates: "to blend general education with technological education, and education with produc-

tive labour" and "develop the general educational system as well as different forms of part-time education for those at work." These are also important. They are being actually put into effect in the Republic, and it is a policy to push them forward. The Constitution provides for the training of competent technicians and specialists. Under the Six-Year Plan, their number will exceed one million (or seven per cent of the total population).

3) PROVISIONS ON THE RELATIONSHIP BETWEEN SOCIETY AND THE INDIVIDUAL

The relationship between society and its member, the individual, is also the relationship between men within society. As regards this matter, the new Constitution of the Republic stipulates for "the principle of collectivism." In the Republic the rights and duties of citizens are based on the collectivist principle of "One for all and all for one" (Article 49). This principle was particularly stressed in President Kim Il Sung's report to the Fifth Congress of the Party. Properly speaking, it is a communist ethic.[6] Such a constitutional definition may be a manifestation of the Republic's originality. In particular, the new Constitution provides that "Citizens must display a high degree of collectivist spirit" and "cherish their collective and organization and develop the revolutionary trait of working devotedly for the good of society and the people and for the interests of the homeland and the revolution" (Article 68). This, along with the aforesaid provision of the "builders of socialism and communism" (Article 36) in the chapter on culture, is the requirement of a noble trait which the Republic's citizens must have. Undoubtedly, it is an idea and no more than a goal. But we can see that it is being realized through the operation of the above-mentioned constitutional provision of various educational systems. Collectivism itself becomes the basic orientation of school education in the Republic.

The new Constitution provides: "The State eliminates the way of life left over from the old society and introduces the new socialist way of life in all fields" (Article 38). What is provided for here, according to President Kim Il Sung's report to the Fifth Party Congress, poses an "important question in realizing the revolutionization and working-classization of society," and it comes under the relationship between society and men. It "...means **seeing to it that everyone conducts his activities in all spheres—political, economic, cultural and moral—in accordance with socialist standards of social life and behaviour.**" (Kim Il Sung, *Selected Works*, Eng. ed., Vol. V, pp. 464-65.) Although the provisions of the standards (rules) of socialist collective life are beginning to appear in the new civil laws of the socialist countries,[7] there is no other case in which they are laid down even in the constitution.

Next, the family question. Family lies between society and the individual, and it is closely connected with marriage. Protection of marriage and family has been prescribed in all the constitutions of the socialist countries established after the Second World War. And the Republic's former Constitution is no exception (Article 23). In the new Constitution, however, there can be seen a change in the way of its definition, and an addition of a very interesting clause, that is, "The State pays great attention to consolidating the family, the cell of society" (Second paragraph, Article 63). It can be said that the political and legal cognition of the fact that "family is the cell of society" has been nearly fixed in the recent family legislation of the socialist countries.[8] However, there is no instance in which such a regulation of the family code is again lifted up to the level of a constitutional provision. It must be given prominence as a unique provision of the Republic's new Constitution. Thus, the state provides a legal guarantee for the protection of family.

What is noteworthy in this connection is the provision that "The State frees women from the heavy burden of household chores and provides every condition for them to participate in public life" (Third paragraph, Article 62). One of the "three major tasks of the technical revolutions" to which I shall refer in other chapter, is, to be sure, the emancipation of women from the heavy burdens of household work, and it can be realized through the development of the food-processing industry and the mass production and supply of refrigerators, washing machines, electric pots, and various other kitchen utensils.

In his report to the Fifth Congress of the Party, President Kim Il Sung said that "**Our Party members and working people must strive to ... revolutionize their families,**" and that "**We should begin revolutionizing our families, and then the subworkteams, workteams and people's neighbourhood units pas-**

sing to the work centres and the *ri* and gradually revolutionizing and working-classizing the entire society...." (Kim Il Sung, *Selected Works,* Eng. ed., Vol. V, pp. 465-66.) Here we can grasp one of the positive meanings of "Family is the cell of society".

Notes

1. To cite one or two constitutions as instance, the second paragraph, Article 2, of the Constitution of Romania sitpulates for "to build socialism while creating conditions for going over to communism". And Article 1 of the Constitution of Germany provides for "to realize socialism".

2. "In a higher phase of communist society, after the enslaving subordination of the individual to the division of labour, and therewith also the antithesis between mental and physical labour, has vanished; after labour has become not only a means of life but life's prime want; after the productive forces have also increased with the all-round development of the individual, and all the springs of co-operative wealth flow more abundantly—only then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banner: 'From each according to his ability, to each according to his needs!'" (*Critique of the Gotha Programme.*)

3. The Czechoslovak Constitution says in its first paragraph, Article 14: "The State must direct all its policies, particularly the economic policies, to the goal—to create the conditions necessary for the complete development of the socialist economy and the gradual transition to communism through the overall development of productivity on the basis of the steady progress of science and technology and the enhancement of labour productivity. Moreover, it must pay particular attention to overcoming the material difference between physical and mental labour and between town and country."

4. See V.I. Lenin, *Collected Works,* Eng. ed., Vol. XXV, p. 469.

5. In the last part of *On the Cooperative,* Lenin loudly cried for it: "This cultural revolution would now suffice to make our country a completely socialist country; but it presents immense difficulties...." (V.I. Lenin, *Collected Works,* Eng. ed., Vol. XXXIII, 1966, p. 475.)

6. "Collectivism and comradely assistance—the principle of 'One for all, all for one'" was described also in the fifth item of "Moral Standards of Communist Builders" in the Programme of the Communist Party of the Soviet Union published in September, 1961.

7. The second paragraph, Article 5 of the basic civil law of the Soviet Union made public in December 1961 reads: "In exercising their rights and performing their duties, the citizens and organizations must observe the laws and respect the rules of the socialist collective life and the moral principles of society in which communism is being built." Article 5 of the civil code of Czechoslovakia of February 1964 provides for the district committee's request for relief with regard to the "infraction of the regulations of socialist collective life".

8. In recent years, such a provision has become common to the family codes of the socialist countries. It is specified in the introductions of the 1964 family code of Czechoslovakia and the 1965 family code of Germany, and Article 1 of the 1965 family code of Bulgaria. In the Soviet Union it is not specified in the fundamental law of 1968 providing marriage and family, but it is referred to in the explanation of the draft law. For further particulars, see the annex, *The Recent Marriage Law of the Socialist Countries—the Soviet Union and the East European Countries* by Fukushima Masao.

3. NEWLY-ERECTED STATE STRUCTURE AND ITS CHARACTERISTIC FEATURES

The state structure refers to a system of organization and management, under which the working people exercise power through their representative organs (the Supreme People's Assembly and local People's Assemblies of different levels) and each representative organ elects and appoints administrative, judicial and procuratorial organs and, through which all the state affairs are conducted. In a word, it constitutes the whole of the state machines. It is specified between Chapters V and X of the new Constitution, and its content shows a great change and progress in comparison with the former Constitution (From Chapters III to VII).

Of course, there is no change in the essence of the system of the People's Assemblies established in the old Constitution. (Articles 7 and 8 of the new Constitution, and Articles 2 and 3 of the old one.) The new Constitution stipulates democratic centralism as the principles of the formation and management of all state organs (Article 9). This is a confirmation of what has so far been in operation.[1] At the same time, attention must be paid to the following fact: In his report to the Fifth Congress of the Party President Kim Il Sung pointed out that **"the most important thing in strengthening the Party is to establish a**

monolithic ideological system among its entire membership" (Kim Il Sung, *Selected Works*, Eng. ed., Vol. V, p. 506), and that the "people's committees at all levels are the most comprehensive transmission belt linking the Party with the masses; they are the executor of our Party's lines and policies". (Kim Il Sung, *Selected Works*, Eng. ed., Vol. V, p. 523.) This signifies the sole guidance system of the Party. It is the sole system of guidance by the Party's highest guide (the leader). The system of the old Constitution was thus reformed to be best adapted to it. Therefore, the new state structure is so established as to fully realize the sole guidance system of the leader. Herein lies the main purpose of the reformation.

Under the old system, the Republic's state structure was divided into the system of the state power organs and that of the state administrative organs (besides, judicial and procuratorial organs), which were set up in the centre and the provinces respectively. And the Supreme People's Assembly (SPA) and its Presidium belonged to the central (the highest) organs of power. The Presidium was a power organ of the standing assembly system and acted for the highest organ of power when the SPA was not in session. The central organ of state administration was the Cabinet of the Republic, which was the highest administrative organ of state power, that is, the Government of the Republic. It guided all other state administrative organs on a nationwide scale and had a very wide limit of rights and duties. The decisions issued by the Cabinet (Cabinet decision) had a great effect in that respect.

The new system has brought about an important reorganization both in the system of the state power organs and that of the state administrative organs in the centre as well as in the provinces.

In the first place, as the central, that is, the highest organ of power, there is the Supreme People's Assembly composed of the deputies elected by the working people. And there is also the Standing Committee, as in the past. But there have newly come into being the President of the Republic directly elected by the SPA, and the Central People's Committee elected on the recommendation of the President. These two were not found in the former Constitution. And the President of the Republic is the Head of State and represents the Republic's state power. The President also heads the Central People's Committee, and the latter is the highest leadership organ of state power.

The administrative and executive body of the highest organ of power is named the Administration Council. This Council functions under the guidance of the Republic's President and the Central People's Committee. The highest executive body is renamed as stated above, and its character has undergone a change.

The establishment of the aforesaid central (the highest) organ of power and the administrative and executive body is aimed at ensuring the sole guidance of the highest leader. That is to say, the Republic's President is the Head of State in person and has extremely powerful rights and duties to guide the Administration Council himself and through the Central People's Committee. Of course, the President is responsible to the SPA which elected him.

Viewed from the competence of legislation, it is the SPA that adopts and amends the Constitution, laws and ordinances. The Standing Committee of the SPA examines and decides on the bills and amends laws in force when the SPA is not in session. But it should obtain the approval of the next SPA session. Also, it adopts decisions. The Republic's President issues orders. The Central People's Committee adopts decrees and decisions. Under the former Constitution these decrees were issued by the Presidium of the SPA. The Administration Council, too, adopts decisions.

At a glance, it seems that the central power apparatus is superimposed, running counter to simplification. But if the actual number of personnel is examined in detail, it proves otherwise. Each organ has a considerable number of additional offices[2] and is so made as to skillfully perform its substantial functions and raise the level of efficiency, cutting down the unnecessary staff. After all, the Central People's Committee composed of representatives of the working people of all strata directs and supervises the managerial and administrative organs, and guides state administration to suit the actual conditions, doing away with the evil practices of bureaucracy.

The above explanation can be generally applied to the reorganization of the systems of local power organs and administrative and executive bodies of various levels. Before they were composed of the local People's Assemblies and People's Committees of different levels. But under the new Constitution, the local Administrative Committees have been newly instituted as the administrative and executive bodies, and the

local People's Committees become the local organs of power when the local People's Assemblies are not in session. The actual composition of their staff is the same with that of the Central People's Committee.[3] They are functioning well.

Formerly, there was a power organ in the ri, too, but under the new system the county has become the lowest unit.[4] It is stipulated in the Constitution that the state increases the role of the county and strengthens its guidance and assistance to the countryside (First paragraph, Article 26). This is something already put into practice. As early as August 1962 President Kim Il Sung said at the Changsong Joint Conference of Local Party and Economic Functionaries: **"The county is not only the lowest administrative setup that leads the *ri* and workers' districts but also the base that links the towns with the countryside in all fields of politics, economy and culture."** (Kim Il Sung, *Selected Works,* Eng. ed., Vol. III, p. 334.)

Such a state structure based on the sole guidance system is rarely to be found in the constitutions of other socialist countries. Although Vietnam and Czechoslovakia have the presidential system, they have no organ like the Central People's Committee. It seems many countries had first instituted the Presidium of the Supreme Soviet like the Soviet Union and later adopted the National Council.[5] I will not go into details in this respect.

In short, the new state structure skillfully combines the sole guidance of the highest leader and the participation of the broad people in state affairs, thereby bringing forth a new type of socialist state structure. Referring to the object of establishing such a system in his "report on the draft Constitution", President Kim Il Sung said as follows: **"We must strengthen the organs of power and improve their functions and role in order to successfully implement the revolutionary tasks confronting us at present and consolidate and develop the socialist system."** The new Constitution provides for the state structure as a form best suited to that purpose.

Notes

1. See page 116 of *The State and Social System of the DPRK,* an explanation of the former Constitution.

2. According to the *Korea News* of December 29, 1972, the Standing Committee of the Supreme People's Assembly is composed of 19 members including one Chairman and two Vice-Chairmen, who do not hold concurrently the membership of the Central People's Committee and of the Administration Council. It consists of representatives of all walks of life—Chairman of the Chondoist Chongu Party, Chairman of the Journalists' Union, and representatives of the General Federation of Trade Unions, the Union of Agricultural Working People, the League of Socialist Working Youth, the Democratic Women's Union and the literary and art circles, etc.

The Administration Council is composed of 29 members including one Premier and six Vice-Premiers. But the figure actually stands at 24 as five of the Vice-Premiers are concurrently Ministers. Of them Premier, five Vice-Premiers and four Ministers, ten in all, concurrently hold the membership of the Central People's Committee (25 in total).

3. According to what the author was told by the Chairman of the Administrative Committee of South Hamgyong Province, the Provincial People's Committee has 21 members consisting of representatives of the Workers' Party of Korea and other political parties and social organizations. Most of them hold additional posts, and no more than 4-5 members are in full service. The Vice-Chairman of the Administrative Committee holds concurrently the Chief Secretary of the People's Committee. The system stipulated in the new Constitution makes it possible to forge close ties with the people and give play to democratic centralism.

4. In South Hamgyong Province, it is said, each county contains 70,000 population on an average. Then, I believe it is equivalent to the district of the Soviet Union.

5. The National Council was first introduced in the Constitution of the German Democratic Republic in 1965 when it was revised, and it was taken over by the 1968 Constitution. It is elected by the supreme organ of power. The Chairman is the Head of State and issues the decrees of the Council. Later both the new Constitutions of Romania and Bulgaria changed the Presidium of the Supreme Soviet into the National Council.

4. PROVISIONS OF NATIONAL CHARACTERISTICS

The Republic has a high pride in being a national state, values the legacies of national culture and treasures the national language. As illustrated above, it is the Party's policy on literature and art "to develop a new national culture reflecting the life and sentiments of our people under the socialist system while, at the same time, critically carrying forward our

time-honoured cultural heritage and assimilating, also in a critical way, the achievements of advanced culture of foreign countries." This is stipulated in the new Constitution as follows: "The State develops a Juche-oriented, revolutionary literature and art, national in form and socialist in content" (First paragraph, Article 45). The national form native to its nation has attained a unique development up to this date. In the past thousands of years the working people, the ancestors of the Korean nation, had created a great number of priceless and excellent works of art both materially and spiritually. But they were made the exclusive possession of the royalties and aristocrats. Today these culture and art belong to the masses of the people, and the people should be made their creators and possessors. This is stipulated in the second paragraph of Article 45. Critical inheritance, too, is important, however. They need revolutionary contents.[1]

Another question is to defend the purity of the Korean language and develop it. Dwelling on this question in January 1964 when he gave a talk to the linguists, President Kim Il Sung said that the people of the Republic should love their fine spoken and written language and be proud of it. And then, in his conversation with linguists in May 1966, he dealt with the question of adjusting and developing the Korean language.[2] This is how Article 46 providing the protection and development of the Korean language came into being.

It is needless to say that such new provisions are unique and present a characteristic feature of the new Constitution.

Notes

1. In his speech *On Creating Revolutionary Literature and Art,* President Kim Il Sung said: "Our music must be Korean in essence and it should suit the feelings of our people." (Kim Il Sung, *Selected Works,* Eng. ed., Vol. IV, p. 159.)

2. In his work *On Properly Carrying Forward the National Characteristics of the Korean Language,* President Kim Il Sung pointed out the jumbled Korean language in south Korea.

CHAPTER V

KOREA'S REUNIFICATION AND NEW SOCIALIST CONSTITUTION

1. THE QUESTION OF REUNIFICATION OF DIVIDED KOREA

As stated at the beginning of this book, Korea remained a colony of Japanese imperialism until 1945 and the Korean nation, deprived of national independence, had been subjected to slavish suppression. It valorously fought for independence. After Japan's unconditional surrender it should have attained its desire—the complete liberation. However, this desire did not come true. Acting upon its world strategy, US imperialism followed the policy of permanent domination of the southern half of Korea. As a result, the 38th north parallel which had been originally defined as a temporary line, was fixed as the demarcation line between the north and the south.[1] The Three Foreign Ministers' Conference of the Soviet Union, the United States and Britain held at the end of 1945 adopted a decision on the establishment of a provisional government of the independent democratic state. But the decision was set at naught by the United States. The Korean people set up local organs of power everywhere on their own initiative and exerted devoted efforts to achieve national reunification. But, in the southern half all the activities of the masses for building a state were repressed at the point of bayonets of the US military government and a puppet regime was set up. What is worse, in 1950, the Korean war was forced by US imperialism. The US army was brought in the war in the name of the UN Forces. Massacre and unprecedented havoc were inflicted upon the people, causing a tragic state in which one and the same family and nation were torn asunder. The US army suffered defeat in the end and was compelled to sign an armistice.[2] But a new

military demarcation line defined as a result of the agreement made the division of the north and the south ever more pronounced. Now, people are unable to send even letters of inquiry after their scattered parents and brothers, let alone travel between the north and the south.

How can you explain the situation in which a single nation with one and the same history, culture, blood, language and custom was artificially split into two? Can there be a more abnormal and unnatural thing than this? It is quite natural that everyone of the Korean people, whether he is in the north or in the south, is burning with the desire for national reunification. The obstacles lying in the way are the handful of statesmen in south Korea and the US imperialists backing them. The main obstacle to Korea's reunification is the interference of the outside forces opposed to communism.

The people in the north and the south have ceaselessly and consistently worked to achieve their common national desire since liberation. The new Constitution of the Republic has a provision for "national reunification". Simple as it is, the provision is permeated with the Republic's devoted efforts at reunification during a quarter of the century. This we should know clearly. The south Korean regime and US imperialism behind it have always suppressed the people's reunification movement and advocated the "reunification by prevailing over communism". Today's Japan is partly responsible for this state of division.[3]

Since its inception, the Government of the Republic (the People's Committee of North Korea is its predecessor) has striven for the independent, democratic and peaceful reunification of the country. Still today it is exerting all its sincere efforts to realize reunification. Nevertheless, the south Korean puppet regime has hampered this in every way under the manipulation of the foreign forces. It is said that the Government of the Republic has hitherto made as many as 134 proposals of peaceful reunification. The major ones are given below.[4]

In April 1948 the Joint Conference of Representatives of the North and South Korean Political Parties and Social Organizations was held in Pyongyang with the participation of 545 representatives from 56 political parties and social organizations. It was a historic conference. It decided: first, to oppose the establishment of a separate government in south

Korea; second, to demand the withdrawal of all foreign troops from Korea; third, to establish a supreme legislative organ of Korea and a unified democratic government. In September, the same year, in compliance with the aforesaid demand of the political programme of the Republic for the simultaneous withdrawal of both armies of the United States and the Soviet Union, the Soviet Union promised to withdraw its army within the year and fulfilled it. The US army in the south was left intact. On June 5, 1950, the Democratic Front for the Reunification of the Fatherland decided on the policy of establishing a legislative body through free north-south general election. On June 19, 1950, the Presidium of the Supreme People's Assembly of the Republic advanced a proposal to realize peaceful reunification by forming a single legislative body with the south Korean "national assembly". But the south Korean side rejected it. When the Republic was making energetic efforts to achieve peaceful reunification, the Korean war broke out. It is easy to understand who is the provoker.

After ceasefire came in Korea, the Republic resumed its struggle for national reunification. The Eighth Session of the Supreme People's Assembly held in October 1954 adopted a proposal on the convocation of a joint conference of the north and south Korean national assemblies in Seoul or Pyongyang. But, the south Korean side refused this, too. The Republic repeatedly made reunification proposals in August 1955, in April 1956, in January 1957 and in February 1958. Their contents in outline are: to withdraw foreign troops stationed in Korea, to refrain from armed action against each other, to reduce to the minimum the armies of both the north and the south, to realize interchange between the north and the south, to exchange correspondence between members of families, and so forth.

In April 1960, the student demonstration in Seoul assumed great intensity, and numerous citizens responded to it. Their sanguinary uprising led to the overthrow of the regime of dictator Syngman Rhee. The fifteenth anniversary celebrations of liberation of the Republic were held on August 14 that year. President Kim Il Sung put forward the policy of independent national reunification. He proposed that, if the north-south free election was unacceptable, a Confederation of north and south Korea should be enforced as a transitional measure, and that if even this was impossible, then pure economic cooperation

and interchange should be realized. This is the antecedent to the proposal for the north-south Confederation clarified in the five-point programme for national reunification 13 years later.

The reactionary Syngman Rhee regime which had opposed reunification was toppled down by the mass resistance. But a democratic government failed to be set up in south Korea. The United States cooked up the Pak Jung Hi regime through military coup d'etat. This regime intensified its pressure on the movement for peaceful reunification.[5] The Republic, however, continued to make proposals for national reunification and national salvation so as to remove national sufferings while pushing ahead with internal construction. In June 1962 the Supreme People's Assembly sent a letter to the south Korean national assembly, political parties and social organizations, and in December 1963 the Supreme People's Assembly, the Democratic Front for the Reunification of the Fatherland and the Committee for Peaceful Reunification, etc., issued in the joint names an appeal for the north-south negotiation. Similar proposals were made in 1964, too. But US imperialism and the south Korean regime stepped up armed provocations, instead of responding to them, and the situation was gradually brought to the danger of war. Such being the case, the Republic was obliged to put off the Seven-Year Plan in the latter half of the 1960's. The incident of seizure of the US spy ship, "Pueblo", occurred on the sea off Wonsan in February 1968.

With the advent of the 1970's the situation changed and favourable conditions were created for the reunification of Korea. It was a time to actively promote independent peaceful reunification. The Fifth Session of the Fourth Supreme People's Assembly of the Republic held in April 1971 set forth the eight-point proposal for national salvation. The proposal contained the withdrawal of the US army from south Korea, the reduction of the armies of the north and the south to 100,000 or below, the abrogation of treacherous and shackling pacts and treaties concluded by the south Korean government, the holding of the north-south general election and the establishment of a unified government, the execution of broad interchange between the north and the south, and the institution of the north-south Confederation as a transitional measure. Moreover, in August 1971 President Kim Il Sung laid down the policy of holding negotiations between the north and the south with a view to removing the bottlenecks on the way. If the south

Korean side wanted national reunification in real earnest, he said, the Republic was ready to hold contact with all the political parties including even the Democratic Republican Party and personages of the southern half. With this as a momentum, the north-south Red Cross talks were opened and the high-level secret meeting was held. The Red Cross talks developed from preliminary into full-dress talks. They opened in Pyongyang and Seoul alternatively. A road was paved for political dialogue through the North-South Coordination Commission. The North-South Joint Statement (July 4th statement) was announced on July 4, 1972, which was of epochal significance for reunification. The major principle of national reunification clarified in the joint statement is to achieve independence, peaceful reunification and the great unity of the nation transcending the differences in ideology, ideal and social system.

The US-south Korean side modified their attitude toward the Republic's just policy of national reunification. This was attributable largely to the trend of general change in the world situation, but basically it was due to the resistance and pressure of the masses of the people in south Korea. Kim Dae Jung who stood for the "presidential" election as Pak Jung Hi's competitor in the spring of 1971 pledged himself to the opening of dialogue between north and south Korea for correspondence and travel. This made Kim Dae Jung get 5,400,000 votes. Thus, he ran Pak Jung Hi hard with the disparity of 960,000 votes. This cannot be ignored. However, as for the US strategy, Nixon's policy, there has been no change in the basic policy of creating "two Koreas". The United States had peace negotiations with big countries while oppressing small countries by force. The Pak regime pretended to follow a relaxation policy on the one hand and, on the other, executed a thoroughly repressive policy within the country. In this way, both of them employed double-dealing tactics, which brought forth a proposal on the simultaneous entry of the north and the south—two Koreas—into the UN on June 23, 1973. It was a treacherous act to perpetuate the north-south division and spoil the efforts at national reunification.

To cope with this, President Kim Il Sung lost no time to make public the five-point programme for national reunification on June 23, 1973, whose main contents are as follows:

(1) To eliminate military confrontation and ease tension between the north and the south.

(2) To materialize many-sided collaboration, cooperation and interchange between the north and the south in the political, military, diplomatic, economic and cultural fields.
(3) To convene a Great National Congress composed of representatives of people of all walks of life and political parties and social organizations from the north and south.
(4) To institute a north-south Confederation under the single name of the Confederal Republic of Koryo.
(5) To work together in the field of external activity and to enter the UN under the name of the Confederal Republic of Koryo.

It hardly needs to dwell at length on the validity of the five-point programme and on the fact that it is the result of many years' endeavour for national reunification. The consistent national reunification policy put forward by the Workers' Party of Korea led by President Kim Il Sung is the most realistic proposal under the present situation. The Conference of Heads of Non-Aligned Countries held in Algeria in August that year supported the just stand of the Republic. At the 28th UN General Assembly the US-initiated proposal came to nothing.

The incident of abduction of Kim Dae Jung, a presidential candidate, by the intelligence agency of the Pak regime took place on August 8, 1973. After this incident the Republic rejected its negotiation with the delegation of the Pak regime headed by Li Hu Rak, chief of the intelligence agency.

Notes

1. According to the "White Paper on Korea" of the US State Department, the 38th parallel was not a line for dividing Korea into north and south. Its demarcation was made because Japan had distributed her Kwantung army in the north of that line and her army stationed in Korea in its south. The decision of the Moscow Conference of the Three Foreign Ministers did not involve any idea of dealing with Korea to be divided into north and south. ("Japan and Korea", Lecture on Asia and Africa, No. 3, p. 212, by Fujishima Udai.)

2. In July 1953, at Panmunjom, General Clark signed the Armistice Agreement on behalf of the UN Forces. Confessing the defeat of the US army, he frankly said: "I gained the unenviable distinction of being the first United States Army Commander in history to sign an Armistice without victory."

3. See the two articles appearing in the October, 1973, issue of *Sekai, Present Stage of Economic Cooperation between Japan and South Korea* written by Nakagawa Nobuo and *Political Freedom and Suppression in the Republic of Korea* by Fujishima Udai.

4. Particular mention must be made of the fact that the reference made below is based on *KIM IL SUNG, Short Biography,* and, at the same time, that the lecture "On National Reunification" delivered in Pyongyang in September 1972 by Chong Son Sul of the Philosophy Institute, the Academy of Social Sciences, for our delegation then visiting Korea was greatly helpful to me. I also referred to other materials on this question.

5. In July 1971 the Pak regime revised the anti-communist law for the worse and proclaimed it to severely punish the organizations, which were conducting the movement for peaceful reunification, as treacherous ones. In the autumn of the same year the army broke into schools on a garrison decree, to suppress the students' movement, and the state of emergency was announced. In October 1972 the emergency martial law was proclaimed to dissolve the national assembly, and the Constitution was suspended.

2. PROVISIONS OF NEW CONSTITUTION FOR REUNIFICATION OF KOREA

Article 5 of the Republic's new Constitution stipulates: The Republic "strives to achieve the complete victory of socialism in the northern half, drive out foreign forces on a national scale, reunify the country peacefully on a democratic basis and attain complete national independence".

The basic policy of national reunification finds its terse legal expression here. This is a new provision because the Republic's old Constitution wrote nothing about it. Around September 1948 there was still a great expectation of national reunification. As stated above, in April that year the Joint Conference of Representatives of the North and South Korean Political Parties and Social Organizations was held in Pyongyang, and the interchange between the north and the south was not yet completely blocked. The old Constitution, which was for the whole of Korea, defined Seoul as the capital of the Republic. It must be due to these circumstances that the old one had no

provision on national reunification and that efforts were made to promote this work on the basis of the united front.

When viewed in this connection, the Constitution (1968) of the German Democratic Republic, too, has no provision on unification. It only stipulates: "The German Democratic Republic is the socialist state of the German nation"[1] (First paragraph, Article 1).

National reunification stipulated in the Constitution is independent, democratic and peaceful reunification. Independence means achieving reunification by the people's own efforts. As pointed out in the North-South Joint Statement, it should be attained through democratic negotiations, the state of military confrontation be removed, and peaceful dialogue be held. It is believed that "to drive out foreign forces on a national scale" is aimed at the withdrawal of the US army stationed in south Korea as an immediate direct target since there are no foreign troops in the Republic today and further it means rejecting the US political interference and economic invasion.[2] In other words, it means that it permits no interference in the Korean affairs by any foreign state or group and that the Korean people themselves should conduct their political and cultural activities with the attitude of a master.

No reference is made in the Constitution to the way for the reunification of Korea. But it is believed that a confederation of a transitional type the like of which is mentioned in the five-point programme is planned as an initial stage. In order to attain "complete national independence" it will be prerequisite to further deepen collaboration and cooperation between the north and the south under a single name of a country and materialize close mutual contact.

Notes

1. The separate entry of East and West Germany into the UN was approved at the 28th UN General Assembly. This was possible under the conditions in which the country's history and international conditions were quite different from those of Korea. An attempt to apply it to Korea is never permissible.

2. In this respect the article of Mr. Nakagawa referred to in Note 3 of the foregoing section is instructive.

3. THE ACTUAL CONDITIONS OF THE CONSTITUTION OF SOUTH KOREA

I am going to touch briefly on the actual conditions of the south Korean Constitution in connection with the Republic's new Constitution and its work of national reunification. For this will fully reveal the different social systems of the north and the south and, at the same time, clearly show how the double-dealing tactic of the Pak regime mentioned in the first section of this chapter is reflected in the Constitution and national laws.

South Korea proclaimed the "Constitution of the ROK" in July 1948, a little earlier than the old Constitution of the Republic. President was Syngman Rhee and his term of office was fixed as four years. The Constitution was amended in August 1952. In 1954 the government submitted to the national assembly an amendment for the abolition of the limitation of reelections for the first President (Syngman Rhee). Despite the affirmative votes which ran short of the quorum, the government announced approval, by waywardly applying "raising halves" to the results. Thus, in March 1960 Syngman Rhee was elected for the third term, but owing to the uprising of the students and working masses he resigned in April and exiled himself. Then, as stated above, Pak Jung Hi seized power. In December 1962 the drastically revised Constitution based on presidential centralism was enforced. In May 1967 he was reelected President.

In July 1969 when Pak Jung Hi expressed his intention to amend the Constitution for his third term office, all the opposition parties were against it but the national assembly forcibly passed it by the abnormal method of discussing it only with the ministerialists in the annex of the capitol. On October 17 it was approved through a national referendum.

On October 17, 1972, the Pak regime proclaimed an emergency martial law and, at the same time, made public its intention to amend the full text of the Constitution. It calls this the "October revitalization" which means a fascist political

change aimed at absolutizing the authority of the President. The amendment was approved on November 22.

The so-called "revitalized Constitution" is undemocratic in nature, qualitatively different from the Constitution amended in 1962. It is said that this Constitution copied after the Constitution of the Fifth Republic of France (the so-called De Gaulle Constitution). But in fact, it must be called an unprecedentedly fascist, dictatorial constitution. There is no need to explain its content. Yet, only two points are worthy of note. One is that the government explained the reason of amendment as follows: "It is an important task assigned to us to peacefully reunify the country divided by others' will through the dialogue with our compatriots who maintain a heterogeneous system. By concentrating all the wisdom and energy of the nation so that we can meet the tumultuous situation sensitively and back the north-south dialogue to the maximum...we carry out the renovatory reform which makes it possible to fix democracy of a Republic of Korea type...."

It must be said that this queer national reunification, this strange democracy and all others are words difficult for us to understand by the present common sense in politics.

The other is the President's right to the emergency measure (Article 53), a powerful authority given to him. This Article stipulates that when the "security of the country and the public peace and order are faced with a grave menace or in imminent danger", the President can take emergency measures necessary for the politics of the country as a whole and for the provisional suspension of the freedom and right of the people provided for in the Constitution. It is explained that the reason for emergency measures depends on the free determination of the President.

It is told that this provision also copied after Article 16 of the Constitution of France. But it is much more similar to the Nazi law and politics than the French one and the emergency measure of the Bonn Constitution of West Germany. The reason of its legislation is explained by the tense situation in which the Pak regime finds itself today.

As mentioned in the foregoing chapter, after the Kim Dae Jung incident in August 1973 there was the spontaneous yet strong resistance to the dictatorial nature of the Pak regime among the popular masses of south Korea. In October, students' demonstrations were staged one after another following

the Seoul University students' demonstration. In December the Pak regime reshuffled its Cabinet and replaced the chief of the intelligence agency. This could not relieve the internal situation. From mid-December a campaign for constitutional amendment started. It spread throughout the country and developed into one-million-signature-seeking campaign for requesting constitutional amendment, which was a spontaneous resistance to oppression of the strong-willed and honest-minded people in south Korea. Against this the Pak regime warned more than once. At last, on January 8, 1974, it exercised the President's right to emergency measure in accordance to the Constitution which had been changed for the worse. Thus, it started arresting without warrant the champions for constitutional amendment and their supporters and committing them at once for trial by court-martial.

It is known that numerous people have already been arrested. Some were sentenced to a severe punishment of 15 years' imprisonment.

History is a judge. Already the moment of its judgement is drawing nearer. The time is coming to a close when injustice prevails.

PART TWO

SYSTEMATIC, ARTICLE-BY-ARTICLE EXPLANATION

FOREWORD

As a general statement is made in Part One, this part is devoted to explaining the articles of the Constitution seriatim. However, it is not confined to expounding it in regular series as in the case of an ordinary commentary. Applied here is a method of studying the structure of the Constitution, giving a systematic exposition of the interrelations between the whole and chapters, between articles in each chapter, between clauses in each article, and elucidating their respective subject matter. So, the names of chapters in this part, as seen in Chapter V, do not tally with those of the Constitution and, moreover, several chapters of the Constitution are made into one. In this part, the articles from the 73rd to the 146th are not mentioned respectively, and simply their figures are given as the full text of the Constitution is appended to this book. Other articles are quoted as they are when the relevant chapter is taken up. As for the articles which are dealt with in Part One, repetition of explanation is avoided as much as possible to save space and, at the same time, a detailed account of those articles, which are not or insufficiently mentioned there, is given for the full explanation of the contents.

CHAPTER 1

POLITICS

Politics constitutes one of the basic spheres of a social life and holds the leading position. Its active role and positive function are immeasurably great in socialist society where the working-class party exercises a unified political leadership. In this society, politics plays a decisive role in promoting economic and cultural life and advancing social life as a whole.

Having gained a deep insight into the leading position of political life and its decisive role in social life, President Kim Il Sung, first of all, gave an exposition of the principles of political life in the Socialist Constitution of the DPRK.

1. CHARACTER OF THE STATE AND ITS DUTIES

1) POSITION AND CHARACTER OF THE STATE

Article 1: **"The Democratic People's Republic of Korea is an independent socialist State representing the interests of all the Korean people."**

This article gives a concentric formulation of the position and character of the Republic. In particular, the definition of the position and character of the state is the primary requirement of the Constitution, the basic law of the country.

(1) POSITION OF THE DPRK, THE ONLY LEGITIMATE STATE FOR ALL KOREA

The new Constitution defines the Republic as the only legitimate state for all Korea. This stems from the class nature

of the Republic. Generally speaking, if any state is to become the sole legitimate state representing the whole nation and all the people, it should be one serving the interests of the broad segments of the working people. It is because the workers, peasants and other working people form an overwhelming majority of the nation and, accordingly, apart from their interests, one cannot think of the interests of the entire people, the interests of the whole nation. Hence, the DPRK, which was formed according to the wishes of the working people including the workers and peasants and strives for their interests, is the only legitimate state representing the entire north and south Korean people.

Meanwhile, the new Constitution's definition of the Republic as the sole legitimate state reflects the unanimous desire of the Korean people. This is of great significance in forcefully rousing the Korean people to the struggle for the complete reunification and independence of the country. At the same time, as a stern verdict of illegality given against the south Korean puppet regime, it gives a serious shock to the US imperialists and their stooges and a heavy blow to the former who are running wild in its malicious attempt to create "two Koreas".

(2) CHARACTER OF THE DPRK AS AN INDEPENDENT SOCIALIST STATE

The character of the state is defined by the political and economic foundations it relies upon and is distinguished from another according to the traditions it inherits, its guiding idea and so on.

a. Political and Economic Foundations of the State

Article 2: **"The Democratic People's Republic of Korea rests on the politico-ideological unity of the entire people based on the worker-peasant alliance led by the working class, on the socialist relations of production and the foundation of an independent national economy."**

In the Republic, thanks to the deep-going socio-economic reform, a radical change has taken place in social class composition, and the political force has been strengthened consider-

ably. In other words, the exploiting classes have been completely eliminated as classes, and the various sections of the peasants and the urban handicraftsmen who relied on private ownership have been remoulded into socialist working people.

The leading position and role of the working class have been further enhanced, and the cooperative farmers, as a reliable ally of the working class, are playing a big role in building up the socialist countryside. Meanwhile, due to the Party's consistent education, the intellectuals, too, have become the socialist working people, who faithfully serve the working class, in the course of their practical struggle for the revolution and construction and play a great part in socialist construction. Thus, the working class, peasantry and working intellectuals who are embraced in the socialist economic system are all united together by a comradely relationship in which they closely cooperate with each other for the common goal and common interests.

As seen above, in Korea the worker-peasant alliance led by the working class has been further strengthened on a new socialist basis, and on this basis, the unshakable politico-ideological unity of the entire people has been achieved. This means that Korea has been converted into a powerful socialist state with the most sound political foundation.

Moreover, as a result of the successful carrying out of the socialist transformation of production relations in town and country under the wise leadership of President Kim Il Sung, the socialist relations of production have established an undivided sway in Korea.

Further, with the brilliant implementation of the original lines of building an independent national economy and of socialist industrialization laid down by President Kim Il Sung, the country's economic power has been strengthened markedly and the foundations of an independent national economy further consolidated.

All these facts show that Korea is a socialist state standing on a new, powerful economic footing. The stipulation of the Constitution about the political and economic foundations of the Republic affords a legal confirmation to the fact that the DPRK is a most advanced and stable state and a model of socialist state.

b. Glorious Revolutionary Traditions Inherited by the Republic

Article 3: **"The Democratic People's Republic of Korea is a revolutionary State power which has inherited the brilliant traditions formed during the glorious revolutionary struggle against the imperialist aggressors and for the liberation of the homeland and for the freedom and well-being of the people."**

The traditions inherited by the Republic are the glorious revolutionary traditions built up by President Kim Il Sung in the days of the anti-Japanese revolutionary struggle.

The brilliant revolutionary traditions of the Workers' Party of Korea and the Republic, established by the President, contain the great revolutionary idea, the ideological system of Juche, communist revolutionary spirit, immortal revolutionary exploits, experiences in the revolutionary struggle, revolutionary work method and mass style of work, etc.

These glorious revolutionary traditions crystallize in a comprehensive way the problem of state building and other principled problems and fundamental ways of achieving the revolutionary oause of the working class, give them deep-going theoretical answers and provide their practical examples in a vivid way. These great revolutionary traditions, which form the deep and strong historical root of the Republic, constitute its life line, the source of energy for its future development, and priceless revolutionary wealth.

By giving a definite stipulation to such revolutionary traditions inherited by the Government of the Republic, the new Constitution has further heightened the revolutionary pride of the Korean people, and, in particular, it has legally clarified that the Republic is the most revolutionary socialist state which will carry out to the end the revolutionary cause initiated by President Kim Il Sung.

c. Guiding Idea of the DPRK, an Independent Socialist State

Article 4: **"The Democratic People's Republic of Korea is guided in its activity by the Juche idea of the Workers' Party of Korea, a creative application of Marxism-Leninism to the conditions of our country."**

As is stipulated in the new Constitution, the guiding idea of the Republic is the immortal Juche idea of President

Kim Il Sung, the founder of the DPRK and the respected and beloved leader of the Korean people.

The Juche idea is the quintessence of President Kim Il Sung's revolutionary thinking and the fundamental idea running through its whole system and contents.

The Juche idea represents the contemporary Marxist-Leninist world outlook and is the invincible revolutionary banner which makes it possible to successfully carry out both the national and international duties of the revolution.

It forms the ideological, theoretical and methodological foundations of all the lines, policies and activities of the Republic and indicates the fundamental principles for the most correct solution of all the problems arising in the revolutionary struggle and construction work. At the same time, it serves as a sure guarantee for the thorough maintenance of the revolutionary principles of independence, self-sustenance and self-defence in all realms of politics, economy and military affairs of the Republic.

Through the definition of the Juche idea as the guiding idea of the Republic, the new Constitution clearly shows that the DPRK is an independent, revolutionary socialist state which solves all the problems of revolution and construction independently, in conformity with the actual conditions of the country and mainly with its own effort, and exercises complete sovereignty in foreign activities, too.

2) FUNDAMENTAL REVOLUTIONARY TASK AND MISSION OF THE STATE

(1) FUNDAMENTAL REVOLUTIONARY TASK OF THE STATE

Article 5: **"The Democratic People's Republic of Korea strives to achieve the complete victory of socialism in the northern half, drive out foreign forces on a national scale, reunify the country peacefully on a democratic basis and attain complete national independence."**

This article defines the achievement of the complete victory of socialism in the northern half as one of the fundamental revolutionary tasks of the Government of the Republic. This reflects the inevitable requirement of the revolutionary development in the northern half of the Republic.

Though the most advanced socialist system has been established in the Republic, there still exists in no small measure the legacy of the old society in many fields of social life. To add to this, the hostile elements persist in insidious manoeuvrings within and without, the corrosive action of old ideas continues, distinctions between town and country and the class distinctions between the working class and the peasantry remain, and the material and technical bases of socialism are not up to the mark.

These facts keenly demand the continuation of the revolutionary struggle to attain the complete victory of socialism.

By fixing the achievement of the complete victory of socialism as the fundamental revolutionary task of the state, the Socialist Constitution makes clear that the Republic has entered a new, high stage in its struggle for the cause of socialism and communism.

The new Constitution also stipulates the attainment of the complete reunification and independence of the country as one of the fundamental revolutionary tasks of the Government of the Republic. This mirrors the unanimous desire of the entire Korean people and the supreme task of the nation at the present stage.

The territorial division and national split due to the US imperialists' occupation of south Korea not only spell immeasurably great misfortunes and hardships to the south Korean people, but also bring serious national calamities to the entire Korean people and lay a big obstacle in the way of the coordinated development of all Korea. Therefore, one of the basic revolutionary tasks of the Government of the Republic representing the interests of the entire north and south Korean people is to drive the US imperialist aggressors out of south Korea and put an end to their colonial rule, establish national sovereignty on a nationwide scale and attain the country's complete reunification and independence.

Through the elucidation of the fundamental revolutionary tasks of the state, the new Constitution clearly shows the Korean people the way of struggle and, in particular, powerfully inspires all of them to the struggle for the country's independent, peaceful reunification, the supreme national task.

(2) MISSION OF THE STATE

Article 6: **"In the Democratic People's Republic of Korea class antagonisms and all forms of exploitation and oppression of man by man have been eliminated for ever.**

"The State defends and protects the interests of the workers, peasants, soldiers and working intellectuals freed from exploitation and oppression."

The new Constitution defines the defence and protection of the interests of the workers, peasants, soldiers and working intellectuals as the important mission of the state. This emanates from the class nature of the Government of the Republic.

Today when the socialist system has been established, the Republic has become a genuine state of workers and peasants which relies on the socialist working people freed from exploitation and oppression for ever. That is why the state regards it as its most important mission to speak for the will and aspiration of the workers, peasants, soldiers and working intellectuals, the real masters of power, in its activities, and defend their interests. By clarifying the class mission of the state, the Socialist Constitution plainly shows the revolutionary nature and genuine superiority of the Government of the Republic and increases the Korean people's support to and confidence in their revolutionary Government which protects in every possible way their freedom and happiness.

2. PROBLEMS OF FORMATION AND RUNNING OF STATE ORGANS

1) PROBLEMS OF PRINCIPLE ARISING IN FORMATION AND RUNNING OF STATE ORGANS

(1) OWNERS OF THE SOVEREIGNTY AND ORGANIZATIONAL FORM FOR EXERCISING IT

Article 7: **"The sovereignty of the Democratic People's Republic of Korea rests with the workers, peasants, soldiers and working intellectuals.**

"The working people exercise power through their representative organs—the Supreme People's Assembly and local People's Assemblies at all levels."

As is clearly pointed out here, in the Republic the working class and peasants, as well as the soldiers and working intellectuals who faithfully serve them, are the masters of the country and real, full-fledged owners of state power.

The workers, peasants, soldiers and working intellectuals exercise their sovereign power through the People's Assemblies. The People's Assembly, as a genuine representative organ of the socialist working masses led by the working class, is a direct advocate of the will of the entire people and a state power organ which holds all the power of the state.

The system of People's Assembly established originally by President Kim Il Sung represents the best form of state power organ which fully conforms not only with the realities of the Republic but also with the historical conditions of this era in which the broad sections of the people have turned out in the revolutionary struggle.

Further, the People's Assembly accords with the desire of the broad masses of the people in the southern half including the working class and the peasantry and, therefore, fully meets the requirement of the Korean revolution for accomplishing the anti-imperialist, national-liberation, democratic task on a nationwide scale.

The stipulation of the new Constitution with regard to the problems of the owners of state power and the organizational form for exercising it is of tremendous significance in throwing additional light on the class contents and genuine democratic nature of the Government of the Republic resting on the triumphant socialist system.

(2) SYSTEM OF ELECTION TO ORGANS OF POWER AND INTERRELATIONS BETWEEN ELECTORS AND DEPUTIES

Article 8: **"The organs of State power at all levels from the county People's Assembly to the Supreme People's Assembly are elected on the principle of universal, equal and direct suffrage by secret ballot.**

"Deputies to the organs of State power at all levels are accountable to the electors for their activities."

The system of election to the organs of power shows to

what extent the masses of the people can take part in the exercise of power and state management, and it constitutes one of the important elements which indicate the class nature of state system.

As is made clear in the new Constitution, the election to the Republic's organs of power at all levels are conducted on the principle of universal, equal and direct suffrage by secret ballot. This shows that in the Republic the organs of power are formed through a most democratic and popular procedure.

The Republic's election system which is provided for in the new Constitution is a genuine, democratic election system which allows no limitation and reservation, no privilege and distinction among electors, and ensures their direct participation in the election and free expression of their will. This election system is an important guarantee that true servants of the people are elected deputies, that the organs of power act as direct advocates of the will of the entire people and that the masses of the people become the full-fledged masters of power.

At the same time, through the stipulation of the deputies' responsibility to the electorate, the new Constitution clearly indicates the genuinely popular character of the organs of state power.

Deputies' responsibility for their work to the electors is one of the important characteristics of the form of power organ in the Republic, which is fundamentally different from the form of the bourgeois rule under which Dietmen enjoy "independence", denying a "mandate".

In the Republic, the deputies are the faithful servants of the people who work in the interests of the masses of the people, rely on them in their work and satisfy their demands in good time. So, the deputies of the organs of power at all levels assume the responsibility of making a regular report on their work to their electors. This affords a good opportunity of getting the deputies to keep contact with the electors. At the same time, it is one of the important methods which enable the masses of the people to participate in state activities and management so that they may exercise supervision and control over them.

This article of the Constitution, which stipulates the system of election to the organs of power and the correlation between the deputies and electors, provides a sure, legal guarantee that all the state organs are fused with the masses of the

workers, peasants, soldiers and working intellectuals to form an integral whole. This clearly shows the essential superiority of the Republic's socialist political system over the bourgeois parliamentary system under which the ruling organs and the working people are diametrically opposed to each other and a handful of the ruling circles reign over the masses of the people.

(3) FUNDAMENTAL PRINCIPLES TO BE ADHERED TO IN FORMING AND RUNNING THE STATE ORGANS

Article 9: **"All State organs in the Democratic People's Republic of Korea are formed and run in accordance with the principle of democratic centralism."**

The fundamental principle applied in forming and running the state organs in the Republic is democratic centralism.

This system means that decisions are adopted and leading organs elected on the basis of the will of the broad masses of the people, and at the same time, that the leading organs direct in a unified way the struggle to implement the decisions adopted.

Democratic centralism means combination of the initiative of the popular masses with the unified leadership of the state, and it is the fundamental principle to be followed in forming and running the socialist state organs. It fully accords with the demand of socialist construction and the nature of the dictatorship of the prolelariat.

Under this system all the organs of power are elected by the masses of the people and are responsible to them, while administrative organs are formed by the organs of power and are responsible to them. At the same time, the lower state organs implement obligatorily the decisions and instructions of the upper bodies, and local state organs are active under the guidance of the central organs concerned. In addition, this system demands an increase of local initiative in carrying out the lines and policies of the Workers' Party of Korea and the regular and wide participation of the working people in state activities and management.

Through the organic combination of powerful, centralized leadership and democracy, democratic centralism affords a sure, legal guarantee for constant enhancement of the functions

and role of the state organs of the Republic as the powerful weapon of the dictatorship of the proletariat.

2) PRINCIPLE AND METHOD OF ACTIVITIES OF THE GOVERNMENT OF THE REPUBLIC

(1) DICTATORSHIP OF THE PROLETARIAT; CLASS AND MASS LINES

Article 10: **"The Democratic People's Republic of Korea exercises the dictatorship of the proletariat and pursues class and mass lines."**

This article of the new Constitution enunciates first the class nature of the state.

The nature of the state, in a general sense, is the class dictatorship. The socialist state is a power organ for the dictatorship of the proletariat. The DPRK applies out-and-out dictatorship against the hostile elements while ensuring genuine democratic freedom and rights to the working class, peasantry and other working people. The state is a weapon of class struggle for the dictatorship of the proletariat and a weapon for building socialism and communism.

The new Constitution clarifies also the two fundamental principles which the state, as a weapon for the dictatorship of the proletariat, should always hold fast to in its activities. They are the principles of thoroughly carrying through both class and mass lines. These fundamental principles of state activities enable the state to properly combine dictatorship with democracy so as to firmly build up the revolutionary ranks and successfully push ahead with the building of the socialist economy and culture.

Implementation of the class line means adhering to the class standpoint of the working class, the leading class of the revolution, in order to defend its interests to the full. This is the requirement of the law which stems from the class nature and mission of the state aimed at protecting the interests of the working class and realizing the cause of socialism and communism; it is a basic condition for victory in the acute class struggle.

Implementation of the mass line means that the state functionaries faithfully serve the masses of the people, go down among the masses and educate and remould them so as to unite

them, and derive energy and wisdom from them and get them to carry out the revolutionary tasks.

Revolution and construction are the work for the masses of the people and, at the same time, the work of the masses themselves. The socialist state, therefore, can successfully carry out its tasks only when it always rallies the broad segments of the people firmly around itself and gives scope to their self-consciousness and creativity.

Through the definition of the fundamental principle of state activities, the new Constitution makes it possible for the state to properly perform the function of the dictatorship of the proletariat and further strengthen the political basis of the revolution, in keeping with its class nature and mission and without committing either Right or "Left" deviation.

(2) STRENGTHENING OF STRUGGLE AGAINST HOSTILE ELEMENTS AT HOME AND ABROAD; REVOLUTIONIZATION AND WORKING-CLASSIZATION OF THE WHOLE OF SOCIETY

Article 11: **"The State defends the socialist system against the subversive activities of hostile elements at home and abroad and revolutionizes and working-classizes the whole of society by intensifying the ideological revolution."**

In socialist society, along with the class struggle to suppress the hostile elements, there exists another basic form of class struggle, which is aimed at uprooting the obsolete ideas in the minds of the working people and arming them all with communist ideology.

Even after the establishment of the socialist system, there are still remnants of the overthrown exploiting classes who perpetrate counterrevolutionary activities without discarding the delusion of restoring their old positions. And imperialist aggression, subversion and sabotage continue from without. In order to fulfil its historic mission, therefore, the socialist state should intensify the class struggle against the hostile elements at home and abroad and rigorously exercise the repressive function of the dictatorship of the proletariat.

In socialist society there is also the class struggle whose main content is the ideological revolution. The survivals of old ideas hamper the forward movement of the people and may provide the hostile elements with a foothold for their underhand manoeuvres. Therefore, a very important task of the socialist

state is to revolutionize and working-classize all the members of society by dynamically carrying out the ideological revolution.

The provision of the Socialist Constitution for intensifying the struggle against hostile elements at home and abroad and revolutionizing and working-classizing the whole of society is the sure, legal guarantee for the stout defence of the revolutionary gains, consolidation and development of the socialist system and the speeding up of the building of socialism and communism.

(3) THOROUGH APPLICATION OF THE CHONGSAN-RI SPIRIT AND CHONGSAN-RI METHOD

Article 12: **"The State thoroughly applies in all its work the great Chongsan-ri spirit and Chongsan-ri method to guarantee that the higher bodies help the lower, the masses' opinions are respected and their conscious enthusiasm is roused by giving priority to political work, work with people."**

This article elucidates the idea and method of mass leadership of the Republic. As seen in Part One, the great Chongsan-ri spirit and Chongsan-ri method created by President Kim Il Sung are the most scientific, Marxist-Leninist idea and method of mass leadership which fully agree with the nature of the socialist state's management and make it possible to quicker socialist construction to the maximum by bringing the inexhaustible strength and wisdom of the masses into full play.

In the Republic, the masters of the state are the masses of the people and the state is managed by the masses themselves entirely for their own sake.

The Chongsan-ri spirit and Chongsan-ri method set forth in a perfect way the principle and method which make the masses of the people the masters of state management, and give a full and concrete expression to the principle and method of mass leadership which render it possible to mobilize all the strength and wisdom of the masses of the people in the revolution and construction. This article of the Socialist Constitution which defines the Chongsan-ri spirit and Chongsan-ri method as the idea and method of mass leadership of the state legally guarantees that possible tendencies towards administrative and bureaucratic practices in the activities of state organs are thoroughly repressed and that the demand of the mass line is substantially met in the functionaries' method and style of work. In this way, it serves as a powerful weapon in strengthening the revolutionary government and increasing its functions and role in every way.

(4) DEVELOPMENT OF CHOLLIMA MOVEMENT IN DEPTH AND BREADTH

Article 13: **"The Chollima Movement in the Democratic People's Republic of Korea is the general line in the building of socialism.**

"The State accelerates socialist construction to the maximum by constantly developing the Chollima Movement in depth and breadth."

The Chollima Movement is, as stated in Part One, the general line of the Workers' Party of Korea in the building of socialism; it was initiated and has been organized and led by President Kim Il Sung in person. It is a most powerful, revolutionary mass movement which makes it possible to build socialism better and faster by giving the fullest scope to the revolutionary enthusiasm and creative talents of the masses.

By giving legal definition to the great Chollima Movement, the new Constitution proudly displays one of the brilliant exploits and priceless historic experiences gained in socialist construction in the Republic and enables the entire working people and all the state organs to continuously expand and develop the movement.

(5) POLICY OF NATIONAL DEFENCE BASED ON THE PRINCIPLE OF SELF-DEFENCE

Article 14: **"The Democratic People's Republic of Korea is based on the all-people, nationwide system of defence and carries through a self-defensive military line.**

"It is the mission of the armed forces of the Democratic People's Republic of Korea to protect the interests of the workers, peasants and other working people, defend the socialist system and revolutionary gains and safeguard the freedom and independence of the country and peace."

It is one of the basic functions of the socialist state to strengthen its national defence capabilities.

This article codifies in an intensive way the problems of

principle arising in strengthening national defence power by scientifically reflecting the aggressive nature of modern imperialism led by US imperialism and the law that governs the revolutionary wars.

The Constitution's provision for the all-people, nationwide system of defence fully expresses the priceless experience and lessons gained in the anti-Japanese revolutionary struggle and the Fatherland Liberation War and the requirements of modern warfare. Therefore, a decisive guarantee for the increased military strength of the country lies in the firm establishment of an all-people, nationwide system of defence and the thorough implementation of the self-defensive military line of the Workers' Party of Korea, whose main contents are to turn the whole army into an army of cadres, modernize it, put the entire people under arms and fortify the whole country.

The new Constitution also stipulates for the mission of the armed forces of the Republic. It is to protect the interests of the workers, peasants and other working people, defend the triumphant socialist system and the revolutionary gains and safeguard the freedom and independence of the country and peace.

This provision of the Constitution clearly shows the essential characteristic of the Republic's armed forces which are fundamentally different from the armies of the imperialist countries that are used in suppressing the working masses, maintaining the exploiting system and invading and plundering other countries. The genuinely popular, thoroughly defensive and peace-loving character of the Republic's armed forces stems from the intrinsic nature of its socialist system.

This article of the Socialist Constitution providing for the self-defensive military line and the mission of the Republic's armed forces serves as an invariable guiding principle to be followed by the Government of the Republic in defence upbuilding.

(6) PROTECTION OF THE RIGHTS OF OVERSEAS KOREANS

Article 15: **"The Democratic People's Republic of Korea protects the democratic, national rights of Koreans overseas and their legitimate rights under international law."**

The struggle for protecting the rights of the overseas Koreans is the very struggle for defending the sovereignty of the

Republic; it forms a link in the chain of the anti-imperialist struggle to check and smash all the reactionary machinations perpetrated by the imperialists in their oppression of other nations.

The provision of the new Constitution for the protection of the rights of the overseas Koreans represents a legal measure which scientifically reflects the historical origin of the overseas compatriots' problem, which is related to the past colonial rule of Japanese imperialism, and the character of the overseas compatriots' movement, a patriotic national movement.

This article of the new Constitution makes the state wage a more energetic struggle for the rights of the overseas compatriots from the steadfast anti-imperialist stand. At the same time, it affords a sure guarantee that all the overseas compatriots firmly defend all their legal rights and make greater contribution to the revolution in their homeland with a high pride and self-confidence of the overseas citizens of the prosperous socialist country.

(7) DPRK'S POLICY OF INDEPENDENT FOREIGN ACTIVITIES

Article 16: **"The Democratic People's Republic of Korea is completely equal and independent in its relations with foreign countries.**

"The State establishes diplomatic as well as political, economic and cultural relations with all friendly countries, on the principles of complete equality, independence, mutual respect, noninterference in each other's internal affairs and mutual benefit.

"The State, in accordance with the principles of Marxism-Leninism and proletarian internationalism, unites with the socialist countries, unites with all peoples of the world opposed to imperialism and actively supports and encourages their national-liberation and revolutionary struggles."

The state's policy of foreign activities is the reflection of its politico-economic system and the continuation of its internal policy. This article of the new Constitution legalizes the most correct policy of foreign activities which mirrors the nature and might of the state and social system and the lofty aspirations of the people.

The DPRK is a genuine, people's state and a revolutionary state. It strives for the freedom and happiness of the workers,

peasants and other working people and for the interests of the world revolution. The people of the Republic are the resourceful people who struggle for the victory of the common cause of peace and democracy, national independence and socialism. The Republic is an independent socialist power which has political, economic and military strength and ability enough to exercise sovereignty on a par with all countries, big or small, in international relations.

The import of this provision is as in the following:

The Republic is completely equal and independent in its relations with foreign countries, establishes diplomatic as well as political, economic and cultural relations with all countries that are friendly towards it and, in accordance with the principles of Marxism-Leninism and proletarian internationalism, unites with the socialist countries, strengthens solidarity with all the peoples of the world opposed to imperialism and strives for the development of the international revolutionary movement.

The stipulation of the new Constitution in which is embodied the above-mentioned Republic's policy of foreign activities further increases the Republic's international prestige and influence because it contains the revolutionary spirit and principles. At the same time, it provides socialist countries with the only correct Marxist-Leninist guideline which they should abide by in their foreign activities.

3) ESSENTIAL CHARACTERISTIC OF SOCIALIST LAW-ABIDING SPIRIT

Article 17: **"The law of the Democratic People's Republic of Korea reflects the will and interests of the workers, peasants and other working people, and it is consciously observed by all State organs, enterprises, social cooperative organizations and citizens."**

One of the important characteristics of the activities of the state, the instrument of political power, is that it regards the law as its main resource. Under socialism, too, the law serves as an important means for exercising the state functions.

The law in capitalist countries is, in essence, a means of anti-popular rule, which the upper imposes to deny the will of the exploited working masses and ensure the exploitation and

oppression of them by the capitalist class. In this case, the working masses have nothing to do with the law of the country. They are estranged from it in a hostile manner, and both are antagonistic. As a result, the law observance by the working people assumes a thoroughly coercive character.

Quite contrary to this, the socialist law of the Republic is a most popular law which correctly reflects the genuine will of the working class and other working people, protects their interests and is enacted by them. Hence, under the socialist system the working people regard it as their duty and honour to abide by the law and, accordingly, all laws are properly observed and executed on the basis of the high level of their political consciousness and willingness.

By clarifying the popular nature of the socialist law of the Republic and the voluntary nature of its observance, the Socialist Constitution demonstrates the unshakable political and ideological unity of the Korean people with President Kim Il Sung as the central leading figure and the essential superiority of the legislation system of the Republic.

CHAPTER II

ECONOMY

The economy constitutes the material foundation of social life, and the economic system is the important factor determining the state and social systems.

The new Constitution specifies the shining achievements attained by the Korean people in the building of an independent national economy and the principles governing the socio-economic life in the Republic.

1. OWNERSHIP IN THE REPUBLIC AND PROBLEMS OF PRINCIPLE RELATING TO SOCIALIST OWNERSHIP

A socio-economic system is defined primarily by ownership. Accordingly, the question of ownership holds a place of prime importance in the structure of the Constitution which defines the economic system of a state and the orientation of its economic activities.

1) SOCIALIST OWNERSHIP OF MEANS OF PRODUCTION AND THE BASIC ORIENTATION OF STATE ACTIVITIES FOR ITS CONSOLIDATION

Article 18: **"In the Democratic People's Republic of Korea the means of production are owned by the State and cooperative organizations."**

What is most essential in ownership is ownership of the means of production. The new Constitution stipulates that the means of production are owned only by the state and cooperative organizations. This is the legalization of the socialist ownership of the means of production established in the Republic. The socialist ownership of the means of production—state ownership and ownership by cooperative organizations—forms the economic foundation of the Democratic People's Republic of Korea.

One of the problems of principle confronting the socialist state in accomplishing the task of the transition period is how to estimate the position and role of the two forms of socialist ownership and how to improve them.

(1) ESSENCE AND ROLE OF STATE PROPERTY; THE PRINCIPLED ORIENTATION OF STATE ACTIVITIES FOR ITS EXPANSION AND DEVELOPMENT

Article 19: **"The property of the State belongs to the whole people.**

"The State may own property without limit.

"All natural resources of the country, major factories and enterprises, ports, banks, transport and communication establishments are owned solely by the State.

"State property plays a leading role in the economic development of the Democratic People's Republic of Korea."

State property is precisely the property of the entire people in the Republic where the people are masters of the country. State ownership in the Republic, that is, ownership by the whole people, is the only form of ownership that reflects the aspiration and demands of the working class and represents the future of communism. In terms of ownership, the process of building socialism and communism means the process in which ownership by the entire people comes to hold undivided sway.

Therefore, the state of the working class that builds socialism and communism should ceaselessly expand and develop state ownership to keep firm hold of all the economic arteries of the country.

The new Constitution provides that the state may own any property without limit and that all the objects forming the economic arteries of the country are owned by the state only. This is a most correct legislation reflecting the law-governed development of ownership in the process of the building of socialism and communism.

In the Republic, state property expands and develops

speedily and plays a principal role in economic development while enhancing its leading role over cooperative property.

Thus, the new Constitution legally confirms that the Republic has attained great achievements in the domain of developing and perfecting ownership in order to realize the cause of socialism and communism.

(2) ESSENCE OF COOPERATIVE PROPERTY; THE PRINCIPLED STAND THE STATE SHOULD ADOPT TOWARD COOPERATIVE PROPERTY

Article 20: **"The property of cooperative organizations is collectively owned by the working people involved in the cooperative economy.**

"Land, draught animals, farm implements, fishing boats, buildings, as well as small and medium factories and enterprises may be owned by cooperative organizations.

"The State protects the property of cooperative organizations by law."

The main content of this article is that the state puts a limit on the objects of ownership by the cooperative organizations while protecting it.

Unlike state property, the property of cooperative organizations is a limited collective property. The provision for limiting the ownership of cooperative property is a correct one as it reflects the objective requirement of the development of ownership under socialism, the requirement for further expansion and development of state property.

The new Constitution also clarifies that the state protects the property of cooperative organizations by law. This is based on the scientific analysis of the position and role of the property of the cooperative organizations under socialism. Ownership of the cooperative organizations constitutes a form of socialist ownership that develops in close relation with ownership by the entire people and, together with it, forms the economic foundation of the socialist state.

The property of the cooperative organizations and the cooperative economic system based on it correspond to the level of the productive forces of the Republic's countryside and the level of the farmers' ideology. It displays enormous superiority and gives strong impetus to the development of the agricultural productive forces. It is for this reason that the state should develop cooperative property on its own responsibility and protect it by law.

(3) ORIENTATION OF DEVELOPMENT OF PROPERTY OF COOPERATIVE ORGANIZATIONS

Article 21: **"The State strengthens and develops the socialist cooperative economic system and gradually transforms the property of cooperative organizations into the property of all the people on the basis of the voluntary will of the entire membership."**

This article of the new Constitution clearly indicates the course of activities the state should follow in the sphere of ownership to eliminate the class distinctions between the working class and the peasantry and achieve the complete victory of socialism.

It must be said that unlike state ownership, that is, ownership by the whole people, cooperative ownership is a form of ownership of transitional character. It is because in the completely victorious socialist society there can be no cooperative property, and in that society the property of the entire people constitutes the only economic foundation of the state.

In socialist society cooperative property remains for a long time. This is due to the lag of the countryside behind towns, the legacy of the old society. With the consolidation of the material and technical foundations of agriculture and the elevation of the cultural and ideological levels of the peasantry, cooperative property is bound to be converted gradually into ownership by the entire people. This conversion is effected according to the voluntariness of the farmers who are gradually working-classized with the progress of socialist construction.

2) PERSONAL PROPERTY

Article 22: **"Personal property is property for the personal use of the working people.**

"The personal property of the working people is derived from socialist distribution according to work done and from additional benefits granted by the State and society.

"The products from the inhabitants' supplementary hus-

bandry including those from the small plots of cooperative farmers are also personal property.

"The State protects the working people's personal property by law and guarantees their right to inherit it."

This article of the new Constitution explicitly provides for the character and sources of personal property in the Republic and the stand of the state towards it.

Correct definition of the character and sources of personal property is a matter of principle. Its wrong definition will revive private ownership of the means of production, give rise to every kind of exploitation and thus entail serious consequences in the consolidation and development of the socialist system.

The new Constitution makes clear the character of personal property owned by the working people as property for personal consumption. This legally confirms that in the Republic personal property can in no case be used as a means of exploitation.

As is provided for in the new Constitution, in the Republic personal property comes into being mainly through socialist distribution and the additional benefits from the state and society. In addition, the products from the inhabitants' subsidiary home enterprises, though negligible now, also belong to personal property. This clearly shows that personal property in the Republic is connected mainly with socialist ownership of the means of production. This also means that personal property should always be acquired from personal labour and that acquisition of social products through exploitation of others' labour is legally prohibited.

Besides, the new Constitution specifies the stand of the state towards personal property, the stand of legally protecting personal property of the working people and ensuring the right to succeed to it. This comes as a decisive blow to the sophistry of bourgeois advocates that socialism means abolition of property in general including property for personal consumption of the people.

2. SUPREME PRINCIPLE OF STATE ACTIVITIES IN THE REPUBLIC WHERE SOCIAL SOURCES OF EXPLOITATION ARE REMOVED; ECONOMIC TASKS FOR THE BUILDING OF SOCIALISM AND COMMUNISM

The socialist state should expedite socialist and communist construction and steadily improve the people's material and cultural standards, while consolidating and developing the established socialist relations of production.

Hence, it forms important contents of the Socialist Constitution to make clear the aim of production in socialist society, legally fix the achievements in socialist economic construction and put forward the economic tasks of the state in the building of socialism and communism.

1) SUPREME PRINCIPLE OF STATE ACTIVITIES

Article 23: **"The State regards it as the supreme principle of its activities to steadily improve the material and cultural standards of the people.**

"The constantly increasing material wealth of society in the Democratic People's Republic of Korea is used entirely to promote the well-being of the working people."

The aim of production differs according to socio-economic systems. There is no socio-economic source of exploitation in the Republic where the socialist relations of production hold undivided sway. The products of labour which are ever increasing by virtue of the great possibility opened by the socialist relations of production are used entirely for the promotion of the well-being of the working people who produce them.

In the socialist system of the Republic where the people have become the masters of state power and the means of production, it is the supreme principle of state activities to systematically improve the material and cultural standards of the people. The provision of the Constitution concerning the su-

preme principle of state activities legally defines the aim of economic activities of the Republic.

It is the manifestation of the policy of striving solely for the freedom and welfare of the people, regarding men as the most precious beings. By clearly defining the supreme principle of state activities, the new Constitution clarifies that the Republic is the genuine people's state.

2) PRINCIPLES OF BUILDING AN INDEPENDENT NATIONAL ECONOMY AND OF INDUSTRIALIZATION

Article 24: **"The foundation of an independent national economy in the Democratic People's Republic of Korea is the material guarantee of the prosperity and development of the country and the improvement of the people's well-being.**

"In the Democratic People's Republic of Korea the historic task of industrialization has been accomplished successfully.

"The State strives to consolidate and develop the successes in industrialization and further strengthen the material and technical foundations of socialism."

With the thorough implementation of the Juche-oriented policy of economic construction set forth by President Kim Il Sung, a solid, independent national economy has been established in the Republic. It is one of the most precious successes scored in socialist construction as a result of the embodiment of the immortal Juche idea and affords a sure guarantee for the prosperity and development of the country and the improvement of the people's livelihood.

The new Constitution makes clear that the Republic rests on the solid foundation of the independent national economy, as well as on the socialist relations of production in which socialist ownership of the means of production has come to hold undivided sway. This proves that the Democratic People's Republic of Korea is a socialist country based on the most stable foundation of the economy.

The new Constitution, moreover, expressly refers to the fact that the historic task of industrialization has been successfully carried out in the Republic.

With industrialization carried out, the Republic has been converted into a socialist industrial state with up-to-date industry and developed agriculture.

By enumerating the achievements attained by the Korean people in socialist construction, the new Constitution legally fixes that the Republic, once a backward agrarian colony, has already achieved a great success in the struggle to capture the material fortress of communism and, on this basis, has entered a higher stage of struggle to win complete victory of socialism.

As industrialization has been carried out, the state is now confronted with the fighting tasks: To further improve the structure of industrial branches, strengthen its independence, consolidate and follow up the success of industrialization, and thus solidify the material and technical foundation of socialism.

3) ORIENTATION OF STATE'S ECONOMIC ACTIVITIES TO ACCELERATE THE TECHNICAL REVOLUTION AND FURTHER DEVELOP THE PRODUCTIVE FORCES FOR THE REALIZATION OF SOCIALIST, COMMUNIST SOCIETY

Article 25: **"The State accelerates the technical revolution to eliminate the distinctions between heavy and light labour and between agricultural and industrial labour, free the working people from arduous labour and gradually narrow the difference between physical and mental labour."**

To free the working people from arduous labour through the acceleration of the technical revolution is a most lofty yet glorious task of urgency confronting the state in the present stage of socialist construction. This problem has become a mature one now in the Republic where socialist industrialization has been carried out and all domains of the national economy have been basically equipped with modern techniques.

Reflecting such a demand, the new Constitution legally defines the programmatic task of the technical revolution which has now entered a new, higher stage. As it is referred to in Part One, I should like to make a brief remark on it.

For the building of socialism and communism it is essential to eliminate the distinctions between heavy and light labour and between agricultural and industrial labour and gradually narrow down the difference between physical and mental labour and then completely eliminate it.

This task can be accomplished when the productive forces will have generally attained a higher level through the technical

revolution in the whole course of socialist, communist construction. For this reason, the new Constitution raises the problem of gradually narrowing down the difference between physical and mental labour.

4) ORIENTATION OF STATE'S ECONOMIC ACTIVITIES IN THE CONSOLIDATION OF THE MATERIAL AND TECHNICAL FOUNDATIONS OF AGRICULTURE FOR THE ULTIMATE SOLUTION OF THE RURAL QUESTION

Article 26: **"The State enhances the role of the county and strengthens its guidance and assistance to the countryside in order to eliminate the difference between town and country and class distinction between workers and peasants.**

"The State undertakes at its own expense the building of production facilities for the cooperative farms and modern houses in the countryside."

This article legally fixes the principle of state assistance to the countryside set forth in *Theses on the Socialist Rural Question in Our Country* referred to in Part One.

The working-class state's guidance and assistance to the agricultural cooperative economy is of decisive significance in making the uninterrupted revolution in the countryside and in eliminating the lag of the countryside behind towns.

Guidance and assistance of the state of the working class are essential for the emergence of the socialist system in the countryside and its consolidation and development. It is incumbent upon the state of the working class not only to lead the countryside politically and ideologically but also help it materially, technically and financially and make every effort to systematically alleviate the burden of the farmers and increase their income. What is of great significance here is to build production facilities of the cooperative farms and modern houses in the countryside at state expense. The stipulation of the new Constitution for increased state assistance to the countryside legally confirms that the state assumes the full responsibility for the development of agriculture and the livelihood of the farmers.

In order to give direct and unified guidance to the countryside where the objects of guidance are scattered, it is necessary to designate a certain area as a unit and, with it as the base, to give guidance to all the objects within that area. The new Constitution defines the county as the regional unit. It is because the county is the lowest unit of Party and administrative guidance, which directly leads the farm villages and workers' districts. It is also because it is the all-embracing unit of local economic and cultural development and the base for linking towns with the countryside in all spheres of politics, economy and culture.

The provision of the Constitution with regard to the enhancement of the county's role in the elimination of the distinction between towns and the countryside and the class distinction between the working class and the peasantry affords a sure legal guarantee for further intensification of the working-class leadership over the peasantry, assistance of industry to agriculture and support of towns to the countryside and for earlier solution of the socialist rural question.

3. CHARACTER OF LABOUR AND THE PRINCIPLE OF WORKING LIFE

Labour creates all the material and cultural wealth of society and is the source of happiness for all. Needless to say, without labour human society cannot be maintained.

In particular, labour acquires greater significance in the building of socialism and communism which can be realized only by the voluntary, creative labour of the working masses.

It is one of the most important matters which form the basis of socio-economic life.

The new Constitution gives a comprehensive definition of the character of labour and the principle of working life.

1) CHARACTER OF LABOUR AND THE PRINCIPLED WAYS OF INCREASING LABOUR ENTHUSIASM AMONG THE WORKING PEOPLE

Article 27: **"The working masses are the makers of history. Socialism and communism are built by the creative labour of millions of working people.**

"All the working people of the country take part in labour,

and work for the country and the people and for their own benefit by displaying conscious enthusiasm and creativity.

"The State correctly applies the socialist principle of distribution according to the quantity and quality of work done, while constantly raising the political and ideological consciousness of the working people."

In the Republic the social sources of exploitation were removed and the social and individual interests are in full accord. There, no one lives in idleness, and all the people work conscientiously, giving free play to their ability. Thus, labour becomes a matter of honour and full-significance which serves the interest of the country and the people and their own happiness and which is based on the people's high degree of conscious enthusiasm and creativity.

The new Constitution specifies such a character of labour in the Republic. This makes it not only political and moral but also legal obligation for the people to love labour and regard it as a matter of honour and to conscientiously participate in communal labour for the collective and society.

Whether or not socialism can be built quicker and better chiefly depends on how to get the working people to display their creativity and wisdom. Constantly augmenting the political and ideological consciousness of the working people while, at the same time, properly applying the principle of socialist distribution constitutes a method of principle to be applied in the socialist society to bring the working people to participate in creative labour more actively.

It is the intrinsic superiority of the socialist system that the working people free from exploitation and oppression work for the country and the people and for their own welfare, displaying conscious enthusiasm and creativity. Therefore, in order to increase labour enthusiasm of the working people it is necessary to put stress on raising their political and ideological consciousness in any case.

Besides, in socialist society, a transitional one, it is essential to properly apply the socialist principle of distribution. In socialist society where the survivals of old ideas still persist in the minds of people and where labour is not yet the primary demand of life for them, proper distribution according to the quantity and quality of work done is of great significance in inducing the working people to display their enthusiasm in production and in accustoming them to conscious work.

The provision of the new Constitution regarding the principled method of giving full play to the conscious enthusiasm and creativity of the working people is an important legal measure to prevent even the slightest manifestation of revisionism which sticks only to material stimulus and to guard against equalitarian tendency in distribution.

2) PROBLEMS OF PRINCIPLE ARISING IN THE ORGANIZATION OF SOCIALIST LABOUR

Article 28: **"The working day is eight hours. The State reduces the length of the working day for arduous trades and other special categories of work.**

"The State guarantees that working hours are fully utilized through the proper organization of labour and the strengthening of labour discipline."

A problem of principle confronting the socialist state in organizing social labour is to correctly fix the working hours and see that these are fully used. Proper solution of the problem makes it possible to enlist the creative labour of the working people in socialist and communist construction to the fullest extent, while ensuring them sufficient time for rest and ample conditions for cultured life.

The new Constitution fixes an eight-hour working day for the working people. Originally, an eight-hour working day is the slogan put forward by the working class. It is a sacred duty of the citizens to work eight hours a day under the system of the Republic.

The new Constitution specifies the application of the workday less than eight hours in consideration of arduousness of labour and other special conditions (for example, heat-affected or other harmful labour).

The working hours set by law is the working people's legal right as well as their legal obligation. In order to bring citizens to fully use the working hours and discharge their legal duty, the state should improve labour organization and strengthen labour discipline. Proper labour organization alone makes it possible to eliminate all kinds of labour wastage and induce the working people to make full use of the set working hours.

In addition to this, the strengthening of labour discipline is

an important factor inducing all people to work conscientiously in socialist society which is transitional.

Reflecting this demand, the new Constitution fixes it legislatively.

This legislation is, after all, aimed at increasing the function of the dictatorship of the proletariat in the domain of labour administration.

3) PROHIBITION OF JUVENILE LABOUR

Article 29: **"In the Democratic People's Republic of Korea the minimum age for starting work is 16 years.**

"The State prohibits the employment of children under working age."

The provision of the Constitution concerning the prohibition of the labour of children under 16 reflects the need to train rising generation to be genuine masters of the revolution and construction, harmoniously developed builders of socialism and communism. Especially as the provision is directly connected with the introduction of universal compulsory 10-year senior middle school education, the most progressive educational system (Article 41), it displays the unexcelled superiority of the socialist system of the Republic where rising generation are regarded as the most precious and nothing is spared for their future.

4. FORM OF SOCIALIST ECONOMIC MANAGEMENT AND THE PRINCIPLES OF STATE GUIDANCE OF THE ECONOMY

It is a very important question facing the state of the working class how to manage and operate the socialist economy and what principle to apply in economic guidance following the establishment of the socialist system.

The Constitution clearly stipulates for the most revolutionary and scientific system of economic management and the principles of state guidance of the economy whose validity has been fully testified. This enables the state to dynamically push

ahead with socialist economic construction by relying on the superiority of the socialist system.

1) TAEAN WORK SYSTEM AND THE NEW SYSTEM OF AGRICULTURAL GUIDANCE

Article 30: **"The State directs and manages the nation's economy through the Taean work system, an advanced socialist form of economic management whereby the economy is operated and managed scientifically and rationally on the basis of the collective strength of the producer masses, and through the new system of agricultural guidance whereby agricultural management is done by industrial methods."**

This article of the new Constitution legally confirms that the state will invariably keep up the great Taean work system and the new system of agricultural guidance whose correctness has already been fully proved in socialist economic management in the Republic.

As explained in Part One, the Taean work system is a new socialist system of economic management which has properly embodied the mass line and the scientific principle in enterprise management and done away with the legacy of the old, capitalist methods of economic management for good. It is a form of enterprise management which splendidly embodies in itself the communist principle of economic management resting on comradely cooperation and unity and on high revolutionary enthusiasm of the masses.

The new system of agricultural guidance is an excellent system whereby the state directs the agricultural cooperative economy by the industrial method of management, instead of the administrative method, increases the leading role of all-people ownership in the development of agricultural production and accelerates the process of bringing cooperative ownership closer to ownership by all the people. This shows that the Taean work system and the new system of agricultural guidance are the most excellent socialist systems of economic management which are suited to the intrinsic nature of socialist system and make it possible to bring earlier the complete victory of socialism.

The provision of the new Constitution specifying economic guidance and management through the Taean work system and

the new system of agricultural guidance is an important legislation because it enables the state and economic bodies to manage and operate the nation's economy more scientifically and rationally by giving the fullest play to the strength and wisdom of the masses.

2) PROBLEMS OF PRINCIPLE IN PLANNING

Article 31: "The national economy of the Democratic People's Republic of Korea is a planned economy.

"In accordance with the laws of economic development of socialism, the State draws up and carries out the plans for the development of the national economy so that the balance of accumulation and consumption can be maintained correctly, economic construction accelerated, the people's living standards steadily raised and the nation's defence potential strengthened.

"The State ensures a high rate of growth in production and a proportionate development of the national economy by implementing a policy of unified and detailed planning."

This article specifies the fundamental problems arising in the planning of the national economy which is an important aspect of socialist economic management, and means to effect it.

The socialist economy based on public ownership of the means of production develops in a planned way. The provision of the Constitution defining the national economy of the Republic as the planned one demands to give full play to the superiority of the socialist economy diametrically different from the capitalist economy in which production is carried out in a spontaneous and chaotic manner, and imposes a legal obligation to staunchly fight against revisionism that slides down the road of capitalism in economic guidance.

The new Constitution stresses the need to properly maintain balance in planning, balance between accumulation and consumption in particular. The basic problem of planning is to maintain proper balance. The planned development of the country's economy itself means ensuring balance between different domains of the national economy.

What is particularly important in balance is to keep proper balance between accumulation and consumption. This alone makes it possible to ensure the continuous expansion of production and increase defence power and, at the same time, to

rapidly improve the people's livelihood and properly coordinate the future and immediate interests of the working people.

Correct definition of this problem in the Constitution affords an important legal measure because it enables the state to tackle the problems of economic construction, the people's livelihood and defence upbuilding altogether in a unified and rational way.

The new Constitution clarifies the great need to ensure the high rate of growth in production and the balanced development of the national economy through the implementation of the policy of unified and detailed planning.

The policy of unified and detailed planning is an original one, and it has brought about a radical turn in the improvement of the planning of the national economy.

The unified planning, which properly combines the centralized leadership of the state with the mass line, makes it possible to do away with departmentalism and localism of producers and subjectivism and bureaucratism of the state planning agencies and work out dynamic and scientific plans. Detailed planning renders it possible to take careful consideration of all factors affecting production and coordinate all the aspects of management activities closely and on a nationwide scale and thus fully ensure balance of the national economy both in general and in detail. By doing so, this makes it possible to thoroughly eliminate the factors of imbalance and spontaneity in economic growth and develop the nation's economy rapidly.

The provision of the Socialist Constitution for thoroughly implementing the policy of unified and detailed planning is a sure legal guarantee that the state strengthens discipline based on centralism in economic management and gives fuller play to the revolutionary enthusiasm of the working people to speedily develop the economy of the country in a more planned way.

5. PROBLEMS OF PRINCIPLE ARISING IN SOCIALIST FINANCIAL AND FOREIGN TRADE ACTIVITIES OF THE STATE

1) SOCIALIST FINANCE

Finance is an important economic lever which the socialist state should take a firm grip of.

Consolidation of socialist finance alone makes it possible to strengthen the socialist relations of production, rapidly develop the productive forces of the country and systematically improve the people's living. Accordingly, socialist finance deserves to occupy a due place in legally defining the orientation of the state's economic activities.

(1) PRINCIPLES TO BE OBSERVED BY THE STATE IN COMPILING AND IMPLEMENTING STATE BUDGET

Article 32: **"The Democratic People's Republic of Korea compiles and implements the State budget according to the national economic development plan.**

"The State systematically increases its accumulation and expands and develops socialist property by intensifying the struggle for increased production and economy, and by exercising strict financial control in all fields."

Socialist state budget is a form whereby the state builds up and appropriates funds for the economic life of the country on the basis of centralism. Consequently, its proper compilation and implementation form an essential part of the financial activities of the socialist state which is to guarantee the fulfilment of the national economic development plans in terms of funds.

The basic principle of implementing the state budget provided for in the new Constitution is to increase state accumulation and expand and develop socialist property by intensifying the struggle for increased production and economy and exercising strict financial control. This principle is based on the popular character of the state budget and the scientific calculation of

positive influence the state budget exerts on the development of the national economy.

Unlike the budget of the capitalist countries, the budget of the Republic serves for the systematic improvement of the people's livelihood through the steady development of the national economy. Proceeding from the nature of the state budget of the Republic, the state should direct meticulous attention to increasing its accumulation and expanding and developing socialist property in its implementation. What is of prime importance here is to dynamically unfold the struggle for increased production and economy and intensify financial control.

By providing for these matters of principle arising in the compilation and implementation of the state budget, the new Constitution makes it possible for the state to stabilize socialist finance by increasing budgetary revenue and eliminating the practice of financial wastage and, on this basis, more firmly guarantee socialist and communist construction financially.

(2) COMPLETE ABOLITION OF TAXATION

Article 33: **"The State abolishes taxation, a hangover of the old society."**

Originally, the taxation system came into being in the exploiter society as a means of additional exploitation of the working people by the ruling classes.

In capitalist countries taxes exacted from the working people hold an overwhelming proportion in the state budgetary revenue. In contrast, in the Republic the working people's burden of taxes has been systematically lightened and the agricultural tax-in-kind was completely abolished long ago, with the development of the socialist state-owned industry and the consolidation of the independent foundation of the national economy. Taxes from the factory and office workers hold very negligible proportion in the state budgetary revenue.

The new Constitution stipulates for the complete abolition of the taxation system. Thus, the Republic will become the first state in world history which is completely freed from taxes, a legacy of the old society. (According to the provision of the Constitution the taxation system was completely abolished in the Republic as of April, 1974.—*Ed.*)

2) BASIC PRINCIPLE OF FOREIGN TRADE ACTIVITIES

Article 34: **"In the Democratic People's Republic of Korea foreign trade is conducted by the State or under its supervision.**

"The State develops foreign trade on the principles of complete equality and mutual benefit.

"The State pursues a tariff policy in order to protect the independent national economy."

The new Constitution specifies the state monopoly of foreign trade. State monopoly of foreign trade is a basic principle to be invariably followed by the socialist states in their economic intercourse with foreign countries. Only when foreign trade is conducted by the state or under its supervision, is it possible to safely guard against the economic intervention of other countries and negative influence exerted by fluctuations at the international market and develop the economic intercourse with foreign countries in the interest of the country's economy.

The principle of complete equality and mutual benefit stipulated in the new Constitution represents precisely the application in the field of foreign trade of the principle of independence which the Republic consistently follows in its foreign policy.

Thus, the new Constitution legally fixes that the state thoroughly rejects all manifestations of great-power chauvinism and national egoism in foreign trade and always develops commercial intercourse with socialist and newly-independent countries without attaching any economic and political strings to it and on the principle of filling each other's needs in accordance with the national and international interests and also conducts, on the principle of complete equality, trade with the capitalist countries which respect the sovereignty of the Republic and are desirous of establishing economic relations with it.

The new Constitution also stipulates that the state pursues a tariff policy.

This is the legal confirmation of the position of the state that as long as national distinctions remain and states exist, it will follow a tariff policy as ever in order to protect its independent national economy.

All this serves to declare internally and externally that the Republic, guided solely by the immortal Juche idea in its activities, holds fast to the principle of independence in the field of foreign trade, too, basing itself strictly on the Juche stand.

CHAPTER III

CULTURE

Culture, along with politics and the economy, constitutes one of the basic realms of social life; cultural construction holds an important place in the building of socialism and communism.

The Socialist Constitution points out that brilliant results have been achieved by the Korean people in the field of cultural construction in the past period. It also clarifies in an allround way the orientations of thoroughly carrying out the cultural revolution and accelerating the advancement of socialist national culture and the principles the state should adhere to in this sphere.

1. CONCENTRIC FORMULATION OF THE FEATURES OF REPUBLIC'S CULTURAL ADVANCE

Article 35: **"In the Democratic People's Republic of Korea all people study and a socialist national culture flourishes and develops fully."**

This article specifies the Republic's achievements in the field of cultural construction and its high level of cultural development on their basis.

President Kim Il Sung has consistently paid deep attention to the elimination of the Republic's cultural backwardness caused by Japanese imperialist colonial rule and to the building of a new socialist national culture. He set forth the Juche-oriented and revolutionary policies of cultural construction and sagaciously organized and led the struggle for carrying them out.

Today the Republic has become a country of education where all the people from the children to the aged are studying, one of the most civilized countries where science and socialist culture and arts are efflorescing and developing in an allround way.

The new Constitution concentrically reflects these successes in the field of cultural construction and thus it legally confirms that the cultural level of the working people has reached a very high level and that the Republic has become a most developed, progressive socialist state in terms of culture, too. This makes the Korean people feel high national pride and self-confidence and vigorously encourages them to the struggle to accelerate the building of socialist culture.

2. PERFORMANCE OF CULTURAL REVOLUTION; PRINCIPLED ORIENTATION OF THE BUILDING OF SOCIALIST NATIONAL CULTURE

Article 36: **"The Democratic People's Republic of Korea, by thoroughly carrying out the cultural revolution, trains all the working people to be builders of socialism and communism who are equipped with a profound knowledge of nature and society and a high level of culture and technology."**

Article 37: **"The Democratic People's Republic of Korea builds a true people's revolutionary culture which serves the socialist working people.**

"In building a socialist national culture, the State opposes the cultural infiltration of imperialism and the tendency to return to the past and protects the heritage of national culture and takes over and develops it in keeping with socialist reality."

1) ELUCIDATION OF THE BASIC AIMS OF CULTURAL REVOLUTION

As is provided for in the new Constitution, one of the aims of the cultural revolution is to train all the working people into able builders of socialism and communism who have acquired

profound knowledge about nature and society and attained a high level of culture and technique. This is the principled requirement of the building of communism.

In order to achieve the aim of the building of socialism and communism to make all people well off, it is very important to raise their material standard and, at the same time, to lift their ideological and cultural levels.

When the working people in socialist society are not equipped with the revolutionary ideology of the working class and have not attained a high level of culture and technology necessary for socialist construction, they can neither participate in social life with the responsibility of a master nor vigorously push forward the revolution and construction. Only by bringing up all the working people to be able builders of socialism and communism who have attained high ideological and cultural levels, is it possible to bring their inexhaustible strength and wisdom into full play, thereby speeding up the building of socialism and communism.

Another basic aim of the cultural revolution is to build a truly popular and revolutionary culture which serves the socialist working people. This is the most correct reflection of the class nature and mission of socialist culture. In socialist society, culture, like sovereign power and the means of production, is in the hands of the workers, peasants and the rest of the working people.

For culture to be the genuine culture of the working masses including the workers and peasants under socialism, it must faithfully serve the implementation of the revolutionary cause of the working class and fully meet the working people's demand for a high level of culture. These can be fully realized when socialist culture will have become a genuinely popular and revolutionary culture. Because of its very popular and revolutionary character, socialist culture earns the immeasurable love of the working masses and brilliantly effloresces and develops.

By correctly defining the basic aims of the cultural revolution, the new Constitution affords a firm legal guarantee for training the working people, the masters of society, to be the most powerful beings and for making the building of socialist culture the work of the popular masses themselves.

2) PROBLEMS OF PRINCIPLE IN REALIZING THE BASIC AIMS OF CULTURAL REVOLUTION

In the new Constitution, the struggle against the cultural infiltration of imperialism is defined as one of the problems of principle arising in the building of socialist national culture. To struggle against capitalist reactionary culture is the demand of the law governing the building of socialist national culture.

Under the present circumstances in which the imperialists headed by the US imperialists are viciously manoeuvring to spread bourgeois reactionary culture, it is a very urgent task to struggle against all trends of reactionary culture. And, reactionary culture openly infiltrates into some newly-independent countries without receiving any legal control to corrupt and degrade the sound minds of the people, the students and youth in particular.

The new Constitution raises it as an important problem of principle to struggle against the restorationist tendency in the building of socialist national culture. Restorationism constitutes one of the basic obstacles to the development of socialist national culture.

If restorationism is tolerated in cultural construction, all sorts of unsound culture of the past raise their heads, and the outdated ideologies revive in the minds of the working people. To oppose the restorationist tendency is of fundamental significance in correctly inheriting and developing the heritage of national culture.

Only by resolutely opposing the restorationist tendency to try to indiscriminately adopt the old and reactionary things of the past as they are, while opposing the nihilistic tendency toward the heritage of national culture, is it possible to critically inherit and develop the heritage of national culture in keeping with the reality of socialist construction.

The provision of the Constitution for combating the cultural infiltration of imperialism and the restorationist tendency represents the important legal step which makes it possible to completely check the infiltration of all hues of reactionary culture and develop socialist national culture on a sound basis.

3) ESTABLISHMENT OF SOCIALIST WAY OF LIFE

Article 38: **"The State eliminates the way of life left over from the old society and introduces the new socialist way of life in all fields."**

The establishment of a socialist way of life is of very great significance in building a new socialist culture. When the socialist way of life is established, a distinct working-class line can be drawn in social and cultural life by eliminating every kind of outdated element remaining in the field of cultural life and by preventing imperialist cultural infiltration.

The establishment of the socialist way of life also accustoms the people to living and working in accordance with the socialist norm of life and the socialist rules of conduct and thus makes it possible to further promote the work of educating and training all the working people to become men of a new type with a high level of culture commensurate with socialist society.

By stipulating for the allround establishment of the socialist way of life, the new Constitution affords legal guarantee for the vigorous promotion of the revolutionization and working-classization of the whole of society and the acceleration of the building of revolutionary socialist culture.

3. STATE POLICIES FOR PROMOTION OF THE BUILDING OF SOCIALIST CULTURE

1) EDUCATIONAL POLICY OF THE STATE AND ITS MEASURES FOR PUBLIC EDUCATION

The educational work, as one of the most important component parts of the cultural revolution, is a very honourable revolutionary work to educate and train the heirs to revolution.

Man is the most precious and powerful being in the world. Accordingly, no work is more important in developing society

than the work of educating and training the people, especially the youth and children who will succeed to the revolution. If the working class in power fails to take firm hold of the work of educating the rising generation, it cannot vigorously push forward the revolution and construction. Worse still, it will leave irrevocably serious consequences in social life in general. Therefore, the Communists should maintain correct stand and attitude toward the education of the rising generation and develop it as required by the building of socialism and communism.

(1) PRINCIPLES OF SOCIALIST PEDAGOGY

Article 39: **"The State carries into effect the principles of socialist pedagogy and brings up the rising generation to be steadfast revolutionaries who fight for society and the people, to be men of a new communist mould who are knowledgeable, virtuous and healthy."**

What is most important in educational work is to fully apply the principles of socialist pedagogy.

As is mentioned in Part One, the basic principle of socialist pedagogy, classically formulated by President Kim Il Sung, is to bring up men into dependable revolutionary personnel who are possessed of ideology, knowledge and strong physique to participate in the revolution and construction with the attitude of a master. This principle of socialist pedagogy is the basic one which defines the contents and policies of education and training. It originates from the principle of revolution, from the essential requirement of the building of socialism and communism.

The new Constitution's provision for carrying into effect the principles of socialist pedagogy, which clarifies the basic orientation of state activities in the field of education, is of epoch-making significance in putting an end to capitalist medley education remaining in the educational work and enforcing communist education, revolutionary education, which is based on the distinct working-class line.

(2) COMBINATION OF GENERAL EDUCATION WITH TECHNOLOGICAL EDUCATION, AND OF EDUCATION WITH PRODUCTIVE LABOUR

Article 40: **"The State gives top priority to public education and the training of cadres for the nation and blends general education with technological education, and education with productive labour."**

This provision is the legal fixation of the revolutionary educational policy of the state whose correctness has already been amply proved in the Republic's educational practice.

In what position to place the work of public education and the work of training national cadres and how to conduct them is a very important question of fundamental significance in the revolution and construction.

Educational work is the work to educate and train men, the direct performers of the revolution and construction; it is the beginning of work with men. Only by giving priority to educational work in all work, can the socialist state train men into all the more powerful beings so as to successfully settle all problems arising in the building of socialism and communism and dynamically propel social progress.

The new Constitution also provides for close combination of general education with technological education, and education with productive labour. The combination of general education with technological education makes it possible to bring up the new generation into able builders of socialism who have acquired a definite amount of technological knowledge as well as general knowledge. The combination of education with productive labour provides the possibilities of training the rising generation as fine workers equipped with both theory and practice.

The new Constitution defines that the combination of general education with technological education, and education with productive labour, is one of the educational policies of the state. This is a legal guarantee for completely eliminating the residue of the education of the old society in which technological education and productive labour were despised and education was disconnected from revolutionary practice, and for bringing up the rising generation to be dependable pillars for the building of socialism and communism.

(3) UNIVERSAL COMPULSORY 10-YEAR SENIOR MIDDLE SCHOOL EDUCATION AND FREE EDUCATION SYSTEM

Article 41: **"The State introduces universal compulsory ten-year senior middle school education for all young people under working age.**

"The State grants to all pupils and students education free of charge."

The universal compulsory 10-year senior middle school education and the free education system are the realization of President Kim Il Sung's far-reaching plan for the education of the young generation. The universal compulsory 10-year senior middle school education stipulated in the new Constitution is the most progressive and excellent popular education system under which the state takes charge of the education of the rising generation under working age without exception.

The enforcement of the universal compulsory 10-year senior middle school education is an epochal measure to bring up the rising generation as the civilized and versatile reserve builders of socialism and communism, equipped with modern technique as well as basic general knowledge, and makes it possible to raise the cultural and technical level of society as a whole. Further, the enforcement of free education is a historical event in which the people's century-old aspiration for sufficient education of their sons and daughters has been accomplished, and it is another clear manifestation of the incomparable superiority of the socialist system established in Korea.

The Socialist Constitution legally affirms the universal compulsory 10-year senior middle school education and free education which have already been enforced, fully displaying the superiority of the educational system of Korea.

(4) LEGAL FIXATION OF HIGHER EDUCATION SYSTEM

Article 42: **"The State trains competent technicians and experts by developing the general educational system as well as different forms of part-time education for those at work.**

"The students of higher educational institutions and higher specialized schools are granted scholarships."

The combination of the regular educational system with different forms of educational system of studying while on the

job is an effective method of greatly expanding the ranks of technicians and experts to meet the demand of socialist construction.

In particular, the educational system of studying while on the job renders it possible to dynamically propel the revolution and construction and, at the same time, speedily raise the ideological, technological and cultural levels of the working people, and more closely combine theory with practice in education. It also makes it possible to train a great number of technicians and experts from among workers and farmers and turn a factory into one of the cadre-training centres as well as the production base.

The constitutional stipulation for the development of the regular educational system as well as different forms of educational system of studying while on the job provides better conditions for giving education to the working people without severing them from production, and affords a legal guarantee for training a greater number of able technicians and experts.

The new Constitution also legally fixes the system of scholarship awarded to the students of institutions of higher learning and higher specialized schools.

(5) COMPULSORY PRESCHOOL EDUCATION; TRAINING AT STATE AND PUBLIC EXPENSES

Article 43: **"The State gives all children a compulsory one-year preschool education.**

"The State brings up all children of preschool age in creches and kindergartens at State and public expense."

The compulsory preschool education of the children accustoms them to organizational and disciplined life and gets them to prepare themselves for schooling, thus making it possible to successfully enforce the universal compulsory 10-year senior middle school education.

The new Constitution also provides that all the children in towns and villages are brought up in nurseries and kindergartens at state and public expenses. It is one of the communist policies and the communist pedagogical method to bring up children at state and public expenses.

Rearing children in nurseries and kindergartens is a measure to train and bring up the new generation in conformity

to the principles of communist pedagogy from their early years.

As stated above, with its all-embracing provisions for the Juche-oriented, revolutionary educational policies, the new Constitution enables the state to further develop educational work in accordance with the essential requirements of socialist education. When one compares all these with those in the days of Japanese imperialist colonial rule in the past and in south Korea today, one will find that they are poles apart.

2) PRINCIPLES AND MEANS OF DEVELOPING SCIENCE AND TECHNOLOGY

Article 44: **"The State accelerates the nation's scientific and technological progress by thoroughly establishing Juche in scientific research and strengthening creative cooperation between scientists and producers."**

On what principles and by what means the nation's science and technology are developed is one of the very important problems of fundamental significance in the building of socialism and communism.

The new Constitution defines it as the basic principle in scientific research to thoroughly establish Juche in both natural and social sciences. Only by establishing Juche in scientific research, is it possible to rid the scientists of flunkeyism, bring their initiative and talents into full play so as to accelerate the development of science and technology and, in particular, develop the country's economy faster with its own resources and technology.

To strengthen creative cooperation between scientists and producers is the most correct way of developing the country's science and technology. Only when this creative cooperation is strengthened, can the results of scientific research be successfully introduced into the national economy and scientific research sped up.

By raising and specifying these problems of principle arising in scientific research, the new Constitution makes it possible to promote the development of the country's science and technology and get science and technology to serve better the revolution and construction.

3) PROBLEMS OF PRINCIPLE ARISING IN THE DEVELOPMENT OF LITERATURE AND ART

Article 45: **"The State develops a Juche-oriented, revolutionary literature and art, national in form and socialist in content.**

"The State encourages the creative activities of writers and artists and draws the broad masses of workers, farmers and other working people into literary and artistic activities."

The new Constitution clarifies the need to develop literature and art into the Juche-oriented, revolutionary ones.

For literature and art to be Juche-oriented, revolutionary, they must be socialist in content and national in form. The socialist content means the revolutionary and class content, and the national form means the form preferred by the Koreans and suited to their taste.

Only the Juche-oriented, revolutionary literature and art that properly combine socialist content with national form can play a great role in the revolutional education of the people and in encouraging them to the revolutionary struggle and construction work.

This provision of the Constitution for the development of literature and art into Juche-oriented, revolutionary ones, national in form and socialist in content, creatively propounds the problem of the character of the socialist literature and art to suit the reality of the present age in which the revolution and construction are carried on with the national state as a unit. It also is the legal reflection of the brilliant tradition of the revolutionary literature and art established by President Kim Il Sung in the flames of the anti-Japanese revolutionary struggle. Further, it is the legal confirmation of the resplendent results hitherto attained by the Korean literature and art. Provided with this legal guarantee, the socialist literature and art can make a great contribution to realizing the cause of socialism and communism to the full by educating and training all the members of society into revolutionaries.

The new Constitution stipulates for the encouragement of the creative activities of writers and artists and, at the same time, for the broad participation of workers, farmers and other working people in literary and artistic activities. This

constitutional stipulation reflects the principled stand of the state to meet the ever-growing cultural demand of the people to the fullest extent by speedily developing literature and art and rapidly develop them on the sound basis in reliance on the creative wisdom and talent of the popular masses.

The provision for encouraging the creative activities of writers and artists is a legal guarantee for the better fulfilment of their weighty task to educate the working people in the revolutionary ideology by portraying real heroes in the revolution and construction.

Moreover, the constitutional provision for the development of literature and art on a mass basis most correctly reflects the demand of the law governing the development of socialist literature and art. Workers, farmers and other working people are the creators of literature and art. Only by drawing the broad masses in literary and artistic activities while guarding against professionalism, is it possible to truthfully reflect in literary and art works the great reality and vigorous life seething with revolutionary spirit and ardour, and develop literature and art into revolutionary and popular ones in the true sense of the word.

4) STATE POLICY OF DEFENDING AND DEVELOPING KOREAN LANGUAGE

Article 46: **"The State safeguards our language from the policy of the imperialists and their stooges aimed at destroying it, and develops it to meet present-day needs."**

The defence and development of a national language aims to attain its independent development by frustrating the imperialists' policy of destroying it and by thwarting their cultural infiltration; it is a serious political problem affecting the destiny of the nation and a very important problem of consolidating national sovereignty and independence and ensuring national prosperity.

In particular, today it is raised as a very pressing problem in Korea to defend and develop the national language. At present, in south Korea the Korean language gradually loses its purity and changes into a hotchpotch one in consequence of the policy of the US imperialists and their stooges to destroy it.

Meanwhile, the new reality in which the revolution and construction are developing in depth urgently demands to further develop the national language in keeping with the reality. Correctly reflecting these demands of the reality, the new Constitution legally provides for the problem of defending and developing the national language.

The constitutional provision with regard to defending the Korean language from the policy of imperialists and their stooges to destroy it, and to developing it to meet the contemporary demand, serves as the banner which inspires the whole nation to a struggle for saving the Korean language, the precious wealth of the people and the pride of the nation, from the crisis, and for adding lustre to it.

5) STATE POLICY OF INCREASING PHYSICAL STRENGTH OF WORKING PEOPLE

Article 47: "The State steadily improves the physical fitness of the working people.

"The State fully prepares the entire people for work and national defence by popularizing physical culture and sports and developing physical training for national defence."

The sound physical strength of the working people affords the foundation for revolutionary struggle and for the building of a prosperous society. Only when the working people have sound bodies, can they devote all their knowledge and techniques unreservedly to the revolution and construction, firmly safeguard the revolutionary gains from the enemy's encroachment and build better socialist society, mighty and prosperous. From this, the new Constitution defines it as the important ways and means of increasing the physical strength of the working people to popularize physical culture and sports and develop physical training for national defence.

Popularization of physical culture and sports renders it possible to train the physical strength, ideology and will of all people and actively organize and mobilize their inexhaustible strength to the revolution and construction. Moreover, it makes it possible to bring up a great number of good reserve athletes and, on this basis, elevate the general level of the country's physical technique higher still.

Development of physical training for national defence, along with the popularization of physical culture and sports, constitutes one of the important links in the chain of the work of getting the entire people better prepared for labour and national defence.

The stipulation of the Socialist Constitution regarding the popularization of physical culture and sports and developing physical training for national defence correctly reflects the essential requirement of physical culture and sports in socialist society; it affords a legal guarantee for the better preparation of all the youth and children and the working people for labour and national defence.

6) STATE POLICY OF PUBLIC HEALTH SERVICE

Article 48: "The State consolidates and develops the system of universal free medical service and pursues a policy of preventive medical care so as to protect people's lives and promote the health of the working people."

An important duty of this state whose activities are guided by the supreme principle of increasing people's well-being is to consolidate and develop the system of universal free medical service and carry through the policy of preventive medical care so as to protect the people's lives and promote their health.

By legally fixing this, the new Constitution provides the state with the possibility of further improving the public health service and demonstrating the superiority of the socialist system in this field, too.

CHAPTER IV

FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

The new Constitution clearly stipulates the fundamental rights and duties of citizens in accordance with the intrinsic nature of socialist society.

Constitutional stipulation of the fundamental rights and duties of citizens under the socialist system affords an important legal guarantee for protecting the rights and freedom of the working people, the masters of state and social life, and increasing their role and sense of responsibility. It is for this reason that the Constitution gives a new, comprehensive formulation to the rules governing the life and conduct of the people.

Chapter IV of the new Constitution legally confirms the democratic rights and freedom which are actually enjoyed by the citizens under the socialist system, and it defines in detail the duties which should be undertaken by the people, the masters of the country.

The new Constitution stipulates that the rights and duties of citizens are based on the collectivist principle.

Article 49: **"In the Democratic People's Republic of Korea the rights and duties of citizens are based on the collectivist principle of 'One for all and all for one'."**

Generally, the class nature and character of the relevant society are defined by the principle on which the rights and duties of citizens provided for in the Constitution are based.

By expressly prescribing that the rights and duties of citizens are based on the collectivist principle, the new Constitution makes clear the working-class nature and socialist character of society.

Collectivism is one of the most fundamental features of the working class. It constitutes the basis of life in socialist and

communist society in which the working people are firmly united and strive to realize the common cause.

In capitalist society, which, as is epitomized by "everybody fights everybody", is based on extreme individualism and selfishness and in which the law of jungle operates, it is a universal phenomenon that fraudulence is rampant, and people are antagonistic to each other and sacrifice others for the sake of one's own fame and advancement, personal comfort and pleasure.

In sharp contrast to this, in the Republic where the socialist system is triumphant, the working people who were freed from exploitation and oppression have become the masters of power and the means of production, and their comradely unity and cooperation form the basis of social relationship. Under the socialist system where an end was put to exploitation and oppression and the interests of society accord fully with those of the individual, all the working people, as the masters of the country, keep comradely relations in which they help and pull each other along on the collectivist principle of "One for all and all for one".

The constitutional stipulation of this reality of the Republic affords a sure, legal guarantee for consolidating and developing the socialist system and establishing the socialist way of life.

1. FUNDAMENTAL RIGHTS OF CITIZENS

The fundamental rights of citizens of a country constitute a major yardstick for showing how democracy is ensured and how matters stand with their legal status there.

The basic rights of citizens stipulated in the new Constitution confirm the democratic freedom and rights the Korean people actually enjoy in their social life. Through the provisions of the basic rights of citizens, the new Constitution ensures the working people the genuine rights and freedom to the maximum so that they will take a more active part in state and social life.

1) SPECIFIC FEATURES OF RIGHTS AND FREEDOM OF CITIZENS

(1) SUBSTANTIAL GUARANTEE OF RIGHTS AND FREEDOM OF CITIZENS

Article 50: **"The State effectively guarantees genuine democratic rights and liberties as well as the material and cultural well-being of all citizens.**

"In the Democratic People's Republic of Korea the rights and freedoms of citizens increase with the consolidation and development of the socialist system."

This article clarifies the essential characteristics of the rights and freedom which the citizens of the Republic are actually enjoying. At the same time, it scientifically reflects the law-governed course of development of proletarian democracy. In the Republic all citizens are substantially guaranteed the genuine democratic rights and liberties as well as material and cultural welfare.

This guarantee to be given by the socialist state is the fundamental requirement arising from the essential superiority of the socialist system and the popular character of the state..

The socialist system of the Republic represents the most superior socialist system under which the working masses are made masters of everything and everything in society is placed in their service. In exploiter society the state serves as an instrument in oppressing and exploiting the workers and peasants, but in socialist society it serves the interests of the people and is liable to ensure them rights, freedom and a happy life.

Under the socialist system of the Republic the state decidedly guarantees the rights and freedom of citizens as well as their material and cultural life politically, materially and legally.

They can be rendered certain when the working people take power in their hands and exercise it in the interests of society and themselves.

Their substantial realization is also materially guaranteed by the socialist economic system and independent national economy built up in the Republic. At the same time, it is fully secured not only socially and materially but also legally. That

is to say, the new Constitution not only declares the actual materialization of the rights and freedom of the citizens as well as their material and cultural welfare but also clearly defines the ways of materializing the rights and liberties stipulated in each article and the state's legal measures to guarantee them.

In the Republic the rights and freedom of citizens are constantly expanding. There all the material and cultural wealth of the country is used entirely for its prosperity and development and the promotion of the people's well-being on the basis of the socialist ownership of the means of production. With the strengthening of the Government of the workers and peasants, the economy develops and national culture effloresces and advances in an allround way, and this results in further enriching and expanding the rights and freedom of citizens in all realms of political, economic and cultural life.

The clear-cut stipulation of the new Constitution on the expansion of the rights and freedom of citizens with the consolidation and development of the socialist system represents an original proposition giving scientific elucidation of the law-governed course of development of proletarian democracy; it is of epochal significance in the advancement of the theory on proletarian democracy.

(2) EQUAL RIGHTS IN STATE AND PUBLIC ACTIVITY

Article 51: **"Citizens all enjoy equal rights in the political, economic and cultural and all other spheres of State and public activity."**

In the Republic citizens are completely equal in exercising the rights provided for in the Constitution.

In capitalist society where exploitation and oppression of man by man are acknowledged by law the exercise of equal rights of citizens is actually impossible, though it is referred to in the constitution. In contrast, under the socialist system of the Republic everybody enjoys equal rights in the political, economic, cultural and all other realms of state and public activity because the people are the masters of power and there are neither exploiters nor the exploited.

2) POLITICAL RIGHTS AND FREEDOM OF CITIZENS

A major criterion for defining the dignity and personality of man as a social being is whether he enjoys political rights and freedom or not.

To man, a social being, political life is more valuable than physical life. If a man is deprived of political rights and freedom and despised and oppressed in society, he is virtually dead as a social being, although he is alive.

The political rights and liberties of the people are fully ensured only under the socialist system where the working people hold the state power and the means of production in their hands, and their personality and rights are respected to the utmost. The new Constitution expressly prescribes the most comprehensive and complete political rights and freedom actually enjoyed by the workers, peasants and other working people, thereby providing a sure, legal guarantee for them to lead an independent, creative life as the real masters of society.

(1) RIGHT TO ELECT AND BE ELECTED

Article 52: **"All citizens who have reached the age of 17 have the right to elect and be elected, irrespective of sex, race, occupation, length of residence, property status, education, party affiliation, political views and religion.**

"Citizens serving in the armed forces also have the right to elect and be elected.

"Those who are deprived by a Court decision of the right to vote and insane persons are denied the right to elect and be elected."

The right to elect and be elected is one of the most important political rights with which citizens exercise state power.

The new Constitution stipulates that all citizens who have reached the age of 17 have the right to elect and be elected.

In exercising the right to election, one of the important criteria of democracy is manifested in how to fix the voting age. Under the new Constitution, citizens in the Republic who have reached the age of 17 have the right to elect and be elected. This age definition affords an important guarantee for making the young people who are sensitive to political and social life and

have a high level of political consciousness take part widely in the exercise of power and for fully ensuring them the rights to social and political activities.

The voting age stipulated in the new Constitution is the minimum in the world, even including the socialist countries. This proves that the Republic's is a superior, democratic social system which enables citizens to enjoy their political rights and freedom in a most comprehensive way and at the minimum age. In particular, it reflects a high level of political consciousness of the young people in the Republic.

The new Constitution, moreover, clarifies that all the citizens, including those serving in the army, exercise on the principle of democracy the right to elect and be elected, excepting those who are deprived by Court decisions of the right to vote and insane persons. This is a legal guarantee for their fullest and maximum political rights and liberties.

In capitalist society, however, a great number of working people are excluded from election and denied to take part in the political activities of the state because of various restrictions put on age, property status, education, length of residence, sex, nationality, military service and so on.

(2) FREEDOM OF POLITICAL ACTIVITIES

Article 53: **"Citizens have freedom of speech, the press, assembly, association and of demonstration.**

"The State guarantees conditions for the free activities of democratic political parties and social organizations."

Under the socialist system the state ensures citizens the freedoms of speech, the press, assembly, association and demonstration and guarantees the free activities of democratic political parties and social organizations, thus realizing democracy to the fullest. The guaranteeing of such democratic rights and freedoms enables all citizens to firmly arm themselves with the monolithic ideology of the Party and participate more energetically in the political, economic and cultural life of the country.

But, in capitalist society the "freedom" of political activities such as speech, the press, assembly, association and demonstration is a mere empty talk, and the masses of the people are subjected by various means to persecution and suppression.

Besides, the new Constitution provides that citizens are

ensured comprehensive democratic rights and freedoms in all spheres of state, social and political activities including the freedoms of religious belief and anti-religious propaganda and the rights to make complaints and submit petitions.

3) RIGHTS OF CITIZENS IN THE SPHERES OF ECONOMIC AND CULTURAL ACTIVITIES

(1) RIGHT TO WORK

Article 56: **"Citizens have the right to work.**

"All able-bodied citizens can choose occupations according to their desire and skills and are provided with stable jobs and working conditions.

"Citizens work according to their ability and receive remuneration according to the quantity and quality of work done."

The right to work is one of the basic rights of citizens. In the Republic the citizens' right to work is not only clearly provided for in the law but also substantiated on the basis of a solid, independent national economy, the planned development of the national economy and a constant increase of production.

There everyone at working age is provided with a job by the state and receives remuneration according to the quantity and quality of work done. They are also fully provided with all conditions for life and work so that they can give full play to their labour enthusiasm and creative initiative.

Unemployment is inconceivable under the socialist system of the Republic where all citizens are provided with a stable job and distribution is made according to the quantity and quality of work done.

The important characteristic of the constitutional stipulation of the right to work is that it expressly prescribes a guarantee for the full exercise of this right by citizens.

Today, in capitalist countries employment stands out as a vital problem for the working people.

The "right to work" is declared in the constitutions of the bourgeois states. This is aimed at mitigating the vital, pressing demand of the working people for employment. But, in capitalist society in which economic crises and unemployment are prevalent, this "right" is absolutely infeasible because of the intrinsic nature of the capitalist system. Millions of the unemployed

on the verge of starvation are roaming about in search of a job. This fact fully lays bare the deceptiveness and falsehood of the "right to work".

(2) CITIZENS' RIGHT TO REST

Article 57: **"Citizens have the right to rest. This right is ensured by the eight-hour working day, paid leave, accommodation at health resorts and holiday homes at State expense and by an ever-expanding network of cultural facilities."**

The new Constitution provides for the right to rest. By this means it legally fixes the right of the working people to receive from the state the conditions to relieve their intellectual and physical fatigue caused by their participation in social labour and to study and take cultural recreation.

This right represents one of the important features expressing the state's stand and attitude towards the health, cultural recreation and socio-political life of the working people.

The right to rest can be legislated and substantiated only under the socialist system where the working people are made the masters of power and the means of production.

In the Republic the workers, peasants and all other working people enjoy the right to rest to the full. This right is completely ensured by paid leave, accommodation at health resorts and holiday homes at state expense and by the expanding networks of various cultural facilities.

(3) SYSTEM OF FREE MEDICAL CARE AND THE RIGHT TO MATERIAL ASSISTANCE

Article 58: **"Citizens are entitled to free medical care, and persons who have lost the ability to work because of old age, sickness or deformity, old people and children without supporter have the right to material assistance. This right is ensured by free medical care, a growing network of hospitals, sanatoria and other medical institutions, and the State social insurance and security system."**

Under the socialist system utmost concern and solicitude are shown for the health and life of the people. This is required by the intrinsic nature of the socialist system under which people are most valued.

In the Republic the workers, peasants and all other working

people and their families have the right to receive free medical care. The Korean people, who enjoy the benefits of complete, universal free medical care, have become the people who are freed forever from worries of medical care for the first time in history. This constitutional stipulation has no parallel throughout the world.

Through the legal confirmation of the people's right to get free medical care which is now being enjoyed by them, the new Constitution provides a sure guarantee for further consolidation and development of the system of free medical care.

In the Republic the persons who have lost working ability because of old age, sickness and deformity, supportless old people and orphans have the right to state material assistance. This right is an expression of the stand and attitude of the state which takes full responsibility for the livelihood of all the working people. With the guaranteeing of the right to material assistance, the persons who have temporarily or permanently lost working ability, supportless old people and orphans are ensured a secure life by the state.

The rights to receive free medical care and material assistance are firmly guaranteed in the Republic by an ever-expanding network of hospitals, sanatoria and other medical facilities and by the most advanced systems of state social insurance and maintenance.

(4) RIGHT TO EDUCATION

Article 59: "**Citizens have the right to education. This right is ensured by an advanced educational system, free compulsory education and other State educational measures for the people.**"

The right to education is of deep significance in getting the working people to attain definite political consciousness and cultural and technical standards which they ought to have as social beings and, further, in helping them fully exercise all other rigths and freedoms.

The principle on this, as stated above, is stipulated in detail in the chapter of "Culture".

(5) FREEDOM OF SCIENTIFIC, LITERARY AND ARTISTIC PURSUITS

Article 60: "**Citizens have freedom of scientific, literary and artistic pursuits.**

"**The State grants benefits to innovators and inventors.**

"**Copyright and patent rights are protected by law.**"

Under socialism the working people can fully exhibit their creative talents in the fields of science, literature and art. An essential requirement for building socialist and communist society is to develop science and technology, literature and art by bringing the creative talents of the working people into full play. At the same time, satisfaction of this requirement will offer conditions conducive to the advance of culture in socialist society. The state whose masters are the working people must show particular concern about it. The new Constitution stipulates that the state guarantees the freedom of scientific, literary and artistic pursuits through the supply on its own responsibility of all necessary materials and instruments and shows a special concern for the living conditions of scientists, artists and teachers. This legally fixes the above-mentioned idea in a comprehensive way.

(6) SPECIAL PROTECTION OF REVOLUTIONARY FIGHTERS BY THE STATE AND SOCIETY

Article 61: "**Revolutionary fighters, the families of revolutionary and patriotic martyrs, the families of People's Armymen, and disabled soldiers enjoy the special protection of the State and society.**"

This stipulation constitutes one of the characteristics proper to the Socialist Constitution.

With lofty communist fidelity and revolutionary comradeship, President Kim Il Sung showed a deep concern for the special state and social protection of the revolutionary fighters who had devoted their all to the struggle for the Party and revolution, the country and people, the bereaved families of the revolutionary and patriotic martyrs who had died a heroic death on the road of revolution, the families of the People's Armymen, and the honoured disabled veterans. Such concern of his is made clear in this provision.

The stipulation, as an expression of the consistent revolutionary stand of the Party and state, gives all the citizens enormous strength so that they can fight to the last for the victory of the revolution, cherishing a bright hope and firm conviction and mustering up their courage without yielding to any hardships and adversities.

(7) EQUALITY OF THE SEXES AND SPECIAL PROTECTION OF CHILDREN

Article 62: **"Women are accorded equal social status and rights with men.**

"The State affords special protection to mothers and children through maternity leave, shortened working hours for mothers of large families, a wide network of maternity hospitals, creches and kindergartens and other measures.

"The State frees women from the heavy burden of household chores and provides every condition for them to participate in public life."

This stipulation for the emancipation of women not only from social inequalities but also from the burdens of household chores is a legal expression of the idea on the final solution of the women's question.

The constitutional provision of sex equality and the protection of mothers and children is the legislation of the right actually enjoyed by all women in the Republic.

The new Constitution expressly stipulates that women hold equal rights with men in all fields of social and family life and that women and children are specially protected. Thus, it affords a sure guarantee for consolidating the social status and rights now enjoyed by women and further increasing their role in socio-political life and socialist construction.

4) PROTECTION OF MARRIAGE AND FAMILY; GUARANTEEING OF INVIOLABILITY OF THE PERSON AND RESIDENCE, AND OF PRIVACY OF CORRESPONDENCE

(1) STATE PROTECTION OF MARRIAGE AND FAMILY

Article 63: **"Marriage and the family are protected by the State.**

"The State pays great attention to consolidating the family, the cell of society."

Putting marriage and the family under the protection of the state is of great significance in consolidating and developing the systems of marriage and the family in accordance with the intrinsic nature of socialism.

The new Constitution legally guarantees that a deep concern is directed by the state to consolidating the family, the cell of society. This makes it possible to build up the family on a sound basis and energetically push forward its revolutionization.

(2) GUARANTEEING OF INVIOLABILITY OF THE PERSON AND RESIDENCE AND OF PRIVACY OF CORRESPONDENCE

Article 64: **"Citizens are guaranteed inviolability of the person and the home and privacy of correspondence.**

"No citizen can be placed under arrest except by law."

Except by either an approval of the prosecution or a Court decision in accordance with law, no citizen can be arrested, detained, placed under restraint or involved in penal responsibility without good reason.

Through the provision of the inviolability of the person, the new Constitution ensures the personal security and freedom of citizens and gives full play to the talents and wisdom of the working people in the revolution and construction.

5) LEGAL PROTECTION OF OVERSEAS CITIZENS AND THE RIGHT TO PROTECTION

(1) LEGAL PROTECTION OF OVERSEAS CITIZENS

Article 65: **"All Korean citizens in foreign lands are legally protected by the Democratic People's Republic of Korea."**

Legal protection of overseas citizens constitutes an undoubted right and bounden duty of a sovereign state. This principle is specified in Article 15 of Chapter I entitled "Politics".

The Constitution stipulates as a basic right of citizens that all the Korean citizens in foreign lands are legally protected by the Republic. This is of great significance in defending the national, democratic rights of overseas citizens and protecting

their rights and interests due to the citizens of the Republic. It also has a great bearing on making overseas citizens defend the DPRK, their glorious fatherland, and render an active support and encouragement to the revolutionary struggle and constructive work in their homeland and on forcefully inspiring the struggle for national reunification.

The constitutional provision of the legal protection of citizens in foreign lands affords a firm legal basis for them to enjoy, as the citizens of the Republic, the legitimate rights and freedoms recognized by the international law.

(2) RIGHT TO PROTECTION

Article 66: **"The Democratic People's Republic of Korea extends the right of asylum to foreign citizens persecuted for fighting for peace and democracy, national independence and socialism, or for the freedom of scientific and cultural pursuits."**

Protection of political refugees is the right pertaining to the sovereignty of the state, which is approved by the international law.

The new Constitution makes clear that the Republic protects the foreigners who have fought for peace and democracy, national independence and socialism, and for the freedom of scientific and cultural pursuits and are obliged to seek asylum due to their reactionary government's persecution. This shows the democratic and progressive character of the Republic's right to protection and reflects the principle of proletarian internationalism it adheres to.

2. BASIC DUTIES OF CITIZENS

The duties of citizens laid down in the new Constitution is the honourable ones which the people, the masters of the country, must necessarily carry out to consolidate and develop the socialist system and make the country richer and stronger.

The rights and duties are closely interrelated with each other. The rights of citizens are ensured by each citizen's discharge of his duties.

Hence, the stipulation of the basic duties of citizens in the

Constitution is of deep significance in guaranteeing the consolidation of the state and social systems and the full materialization of the rights and freedom of citizens.

(1) LAW-ABIDING SPIRIT

Article 67: **"Citizens must strictly observe the laws of the State and the socialist norms of life and the socialist rules of conduct."**

Citizens must strictly observe the laws of the state. Under socialism it is an important duty of citizens to faithfully abide by the laws of the state.

The socialist state is a weapon of the dictatorship of the proletariat which, under the guidance of the leader, carries out the Party's lines and policies within the system of the dictatorship of the proletariat. The state, therefore, legally fixes the teachings of the leader as well as the policies of the Party which embody them, and makes it obligatory upon the entire people to observe them.

All the laws and regulations of the Republic are aimed at implementing the instructions of President Kim Il Sung and the policies of the Party which embody them, and the observance of them is a sacred duty of all citizens. It is also through the strict observance of the laws of the state that the socialist system can be firmly safeguarded and further consolidated and developed.

Citizens must faithfully obey the socialist norm of life and socialist rules of conduct. This is of particular significance in getting people to be accustomed to the cultural and ethical codes commensurate with socialist and communist society and, by this means, training them into a new type of men equipped with communist moral traits.

In the Republic citizens strictly observe the socialist norm of life and socialist rules of conduct and revolutionize and working-classize themselves better.

(2) PROMOTION OF COLLECTIVIST SPIRIT

Article 68: **"Citizens must display a high degree of collectivist spirit.**

"Citizens must cherish their collective and organization and develop the revolutionary trait of working devotedly for the

good of society and the people and for the interests of the homeland and the revolution."

Collectivism constitutes the basis of a socialist and communist ideological life. This fundamental principle is clarified in Article 49 at the beginning of this chapter.

In order to give full play to the collectivist spirit, it is necessary to build up the revolutionary traits of cherishing one's collective and organization and working devotedly for the sake of society and the people and for the interests of the homeland and the revolution.

In socialist society the interests of the individual totally depend on social interests, and the latter provides an indispensable, primary condition for the guaranteeing of the former to the working people. In socialist and communist society, therefore, it is a principle of life to place the interests of the collective and society before those of the individual and subordinate the latter to the former.

Hence, it is a sacred legal as well as a lofty political and moral duty of citizens to fully display the revolutionary spirit of cherishing their collective and organization and working devotedly anywhere and at any time for the sake of society and the people, for the interests of the Party and the revolution, not for personal comfort and pleasure.

(3) PARTICIPATION IN WORK

Article 69: **"It is the sacred duty and honour of citizens to work.**

"Citizens must voluntarily and honestly participate in work and strictly observe labour discipline and working hours."

Labour creates the wealth of human society and is the source of the well-being of people. It alone creates material wealth for the good of people.

In socialist society where the exploiting classes were liquidated and the character of labour has undergone a fundamental change, labour provides the basis for the high living standard of every member of society. Herein lies the reason that work in the Republic becomes a sacred duty and honour of citizens.

The new Constitution defines voluntary participation in work as a duty of citizens. This is of great significance in getting all the citizens to faithfully carry out their revolutionary

tasks, speeding up the building of socialism and communism and in revolutionizing and working-classizing the whole of society.

(4) PROTECTION OF PEOPLE'S PROPERTY

Article 70: **"Citizens must take good care of State and communal property, combat all forms of misappropriation and wastage and run the nation's economy assiduously with the attitude of masters.**

"The property of the State and social cooperative organizations is inviolable."

To cherish and protect state and communal property is a most honourable duty of citizens in consolidating and developing socialist property, the material foundation of the socialist state, and safeguarding the gains of the revolution.

It is also the worthwhile work of improving the material and cultural standards of the people and making their life more bountiful.

The new Constitution stipulates for the inviolability of state and communal property and defines it as a legal duty of all citizens of the Republic to run the nation's economy assiduously with the attitude of a master. Now all citizens, from the standpoint of a master, carefully manage and economize the precious materials of the country, resolutely combat their wastage and make an energetic effort to produce and build more with less materials.

(5) REVOLUTIONARY VIGILANCE OF CITIZENS

Article 71: **"Citizens must heighten their revolutionary vigilance against the manoeuvres of the imperialists and all hostile elements opposed to our country's socialist system, and must strictly preserve State secrets."**

Heightening the revolutionary vigilance against the manoeuvres of all class enemies is one of the most important duties of citizens in the struggle to defend the socialist gains.

The socialist system of the Republic is the most precious revolutionary gain won by the Korean people in their protracted and bloody struggle under the wise leadership of President Kim Il Sung. At the same time, it not only brings the Korean people freedom and happiness and further increases their na-

tional pride and self-respect, but also serves as the beacon of hope for the south Korean people and the revolutionary people of the world, forcefully inspiring their struggle.

Today the imperialists led by the US imperialists and the remnants of the overthrown exploiting classes resort to vicious manoeuvres to destroy the socialist system of the Republic. In this situation, the citizens of the Republic cannot relax their vigilance even a moment.

By defining it as a legal duty of all citizens to sharply watch every movement of all enemies with heightened revolutionary vigilance and strictly preserve state secrets, the Socialist Constitution affords a guarantee for the defence and safeguard of the Party and the leader, the stout protection of the revolutionary gains and the defence of the socialist system of the country like an impregnable fortress.

(6) NATIONAL DEFENCE BY CITIZENS

Article 72: "National defence is a supreme duty and honour for citizens.

"Citizens must defend the country and serve in the army as stipulated by law.

"Treason against the country and the people is the most heinous of crimes.

"Those who betray the country and the people are punishable with all the severity of the law."

National defence is the greatest duty and highest honour of citizens. To the citizens of the Republic the fatherland is boundlessly precious. In the past the Korean people bitterly experienced the miserable lots of a ruined people who were reduced to colonial slaves.

The Korean people cannot live apart from their homeland. Only through the thriving and prosperity of their socialist fatherland can they carve out their own happy future. Today the Korean people treasure their socialist homeland, the DPRK, more than their life and regard national defence as their greatest duty and highest honour.

The duty of national defence stipulated in the new Constitution reflects such lofty socialist, patriotic idea of the Korean people.

In order to faithfully discharge the duty of national defence, citizens must serve in the army as prescribed by law.

Treason to the country and the people is the most serious crime and traitors must be severely punished by law.

As seen above, the basic rights and duties of citizens stipulated in the new Constitution fully mirrors the sublime aspiration and genuine will of the Korean people who are advancing toward socialism and communism on the basis of the tremendous socio-economic changes that have already taken place in the Republic.

The fact that the basic rights and duties of citizens are stipulated in the new Constitution on a new, high plane in accordance with the intrinsic nature of the socialist system is entirely attributable to the intelligent guidance, lofty virtue and deep solicitude of President Kim Il Sung who has the greatest regard for the people and values and loves them immeasurably.

All Korean citizens are faithful to the basic rights and duties of citizens provided for in the new Constitution and thus fulfil the mission they, as revolutionary fighters, have assumed before the country and the people.

CHAPTER V

THE STATE STRUCTURE

In Chapter V and others that follow, the new Constitution stipulates anew for the composition and functions of the state organs and the principles of their activities in conformity with the reality of the developing revolution. In other words, it provides for the most advanced state structure by correctly reflecting the historic experience of building a state of the dictatorship of the proletariat in the Republic and the requirement of the law governing the building of socialism and communism.

The new state structure stipulated in the new Constitution is an original one. It firmly ensures the sole guidance of the leader in the formation and activity of the state organs, gets the workers, peasants, soldiers and working intellectuals widely to participate in state affairs and state administration, and enables the state organs to serve them better and energetically push forward the revolutionary struggle and constructive work.

The new state structure is a Juche-oriented, revolutionary and popular structure which is in full accord with the reality of revolutionary development in the Republic and the requirement of the law of the building of socialism and communism; it furnishes an example of creation which the working-class party should take as a guiding principle in the building of state organs after the establishment of the socialist system.

The state organs of the Republic stipulated in the new Constitution are divided into power organs, administrative organs, judicial organs and procurator's offices according to their functions and role, and into central state organs and local state organs according to the province of their activities.

1. POWER AND ADMINISTRATIVE ORGANS

The central power organs are: first, the Supreme People's Assembly; second, the President of the Democratic People's Republic of Korea, Head of State, who represents state power; third, the Central People's Committee, the highest leadership organ of state power, with the President of the Republic as its Head. As the local power organs of all levels there are the People's Assemblies and relevant People's Committees which act for the local power organs when the People's Assemblies are not in session.

The administrative bodies are: the Administration Council which is the central administrative and executive body of the highest power organ, and the relevant Administrative Committees in the locality which are the administrative and executive bodies of the local power organs.

1) THE HIGHEST POWER ORGAN AND CENTRAL ADMINISTRATIVE BODY

The new Constitution stipulates in a new and comprehensive way the composition, functions and the principles of activity of the highest organ of power and the central administrative body in order to further enhance the leading function of the state organs, the central state organs in particular, in conformity with the actual conditions of socialist construction which develops in depth in the Republic.

Through the reorganization of the central state organs the new Constitution makes it possible to further strengthen the guidance of the central state organs to the revolution and construction in an allround way under the sole leadership of the Head of State and exercise supreme power of the state more smoothly and rationally. It provides that the Supreme People's Assembly is the highest organ of power of the Republic (Article 73), and clarifies that the President of the Republic represents state power (Article 89) and that the Central People's Committee is the highest leadership organ of state power (Article 100). And it stipulates that the Administration Council is the admi-

nistrative and executive body of the highest power organ (Article 107).

(1) THE SUPREME PEOPLE'S ASSEMBLY

Article 73: **"The Supreme People's Assembly is the highest organ of State power in the Democratic People's Republic of Korea.**

"Legislative power is exercised exclusively by the Supreme People's Assembly."

The Supreme People's Assembly is the highest representative organ of the workers, peasants, soldiers and the working intellectuals, which is composed of deputies elected on the democratic principle. It executes the lines and policies of the Workers' Party of Korea by the exercise of supreme power.

The duties and authority of the Supreme People's Assembly are so stipulated in the new Constitution that it may properly carry out its mission as the highest organ of power representing the will and interests of the entire people including the workers and peasants (Article 76).

The Supreme People's Assembly exercises legislative power. Only the Supreme People's Assembly is competent to adopt or amend the Constitution, laws and ordinances. Other state organs cannot exercise this legislative power.

The Standing Committee of the Supreme People's Assembly obtains the approval of the next session of the Supreme People's Assembly when it examined or decided on the bills submitted and amended the laws and ordinances in force during the latter's recess (Paragraphs 1 and 2, Article 87).

The provision confining the exercise of legislative power entirely to the Supreme People's Assembly offers essential condition for guaranteeing the security and stableness of the laws and ordinances which embody the lines and policies of the Party and represent the will of the entire people.

The Supreme People's Assembly elects the President of the Republic who represents state power. It also elects or recalls the Vice-Presidents of the Republic, the Secretary and members of the Central People's Committee, the Premier of the Administration Council and the Vice-Chairmen of the National Defence Commission on the recommendation of the President of the Republic. And it elects or recalls the members of the Standing Committee of the Supreme People's Assembly and the President

of the Central Court and appoints or removes the Procurator General of the Central Procurator's Office.

The Supreme People's Assembly establishes the basic principles of domestic and foreign policies of the state (Paragraph 2, Article 76). It approves the state plan for the development of the national economy and the state budget (Paragraphs 9 and 10, Article 76). It decides on the questions of war and peace (Paragraph 11, Article 76).

The Supreme People's Assembly holds regular and extraordinary sessions. The regular session is convened once or twice a year and the extraordinary session is convened when the Standing Committee of the Supreme People's Assembly deems it necessary or at the request of a minimum of one-third of the total number of deputies (Article 77).

The new Constitution provides that the Supreme People's Assembly organizes its Standing Committee as its permanent body. The Standing Committee of the Supreme People's Assembly is composed of the Chairman, Vice-Chairmen, Secretary and members (Article 86).

The Standing Committee of the Supreme People's Assembly, in accordance with the provisions of the Constitution, examines and decides on the bills and amends the laws and ordinances in force in the intervals between the sessions of the Supreme People's Assembly, and obtains the approval of the next session of the Supreme People's Assembly. It also interprets the laws and ordinances in force, convenes the session of the Supreme People's Assembly, conducts the election of deputies to the Supreme People's Assembly and the local People's Assemblies, does work with the deputies to the Supreme People's Assembly and elects or recalls the judges and people's assessors of the Central Court (Article 87).

(2) PRESIDENT OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

Article 89: **"The President of the Democratic People's Republic of Korea is the Head of State and represents State power in the Democratic People's Republic of Korea."**

In order to enable the President of the Democratic People's Republic of Korea to give the sole leadership to all the state activities the new Constitution provides for his functions and authority as follows: The President of the Democratic People's

Republic of Korea heads the Central People's Committee, the highest leadership organ of state power (Article 101). The President of the Republic directly guides the Central People's Committee and, when necessary, convenes and presides over meetings of the Administration Council (Articles 91 and 92).

The President of the Democratic People's Republic of Korea is the supreme commander of the entire armed forces and the Chairman of the National Defence Commission, and commands all the armed forces of the state (Article 93).

The President of the Democratic People's Republic of Korea promulgates the laws and ordinances of the Supreme People's Assembly, the decrees of the Central People's Committee and the decisions of the Standing Committee of the Supreme People's Assembly, issues orders and exercises the right to grant special pardons (Articles 94 and 95).

The President of the Democratic People's Republic of Korea ratifies or abrogates treaties concluded with other countries and receives the letters of credence and recall of diplomatic representatives accredited by foreign states (Articles 96 and 97).

As can be seen above, the presidential system of the Republic stipulated in the new Constitution holds a particularly important place in the new state structure.

The presidential system most correctly reflects the requirement of law arising from the position held by the working-class leader under the system of the dictatorship of the proletariat and the decisive role he plays in the development of history. It is the system of state's political leadership which makes it possible to firmly ensure the sole guidance of the leader. The sole guidance of the leader in the Republic is fundamental to the building of the state of the dictatorship of the proletariat and a source of the might and invincibility of the state.

The leader of the Workers' Party of Korea and the Korean working class is born of the popular masses of Korea, represents the interests of the class and the masses most thoroughly and serves the masses with devotion. The leader has the wisdom of genius, a sharp insight, scientific foresight and an outstanding art of leadership. He is the eminent leader who knows better than anybody else the law of the development of history, the urgent demand of the times, the historic mission of the working class and the ways and means of carrying out the revolution and has absolute and unshakable authority and commands firm confidence among the Korean people.

All the organs of the Democratic People's Republic of Korea could and can fulfil their mission as the weapons of proletarian dictatorship only when they follow the sole guidance of the outstanding leader.

The new state structure of the Republic with the President as the Head of State affords a sure guarantee that makes it possible to realize the sole guidance of the leader more fully in all state affairs, raise in every way the function and role of the government of the Republic as a weapon of class struggle and the building of socialism and communism and firmly establish the Party's monolithic ideological system in the whole of society.

The presidential system is a reflection of the political and ideological unity of the entire people based on the immortal Juche idea of the great revolutionary leader President Kim Il Sung, of the people's undivided support to and confidence in him, and of the unanimous will and desire of the Korean people to hold him in high esteem. It is the most superior system of political leadership which solidly guarantees the boundless happiness of the Korean people, the eternal prosperity of the Republic and the successful building of socialism and communism.

(3) CENTRAL PEOPLE'S COMMITTEE

Article 100: **"The Central People's Committee is the highest leadership organ of State power in the Democratic People's Republic of Korea."**

The Central People's Committee consists of the President and Vice-Presidents of the Democratic People's Republic of Korea and the Secretary and members of the Central People's Committee (Article 102).

As the highest leadership organ of state power the Central People's Committee under the direct guidance of the President of the Republic directs and supervises all the state organs and state affairs in terms of power.

The new Constitution expressly stipulates the functions and powers of the Central People's Committee so that it may successfully perform its office (Article 103).

The Central People's Committee draws up the home and foreign policies of the state, directs the work of the Administration Council, the local power organs, judicial and procuratorial

organs and the work of national defence and state political security, and ensures the observance of the Constitution, the laws and ordinances of the Supreme People's Assembly, the edicts of the President of the Republic and its own decrees, decisions and directives.

It also establishes or abolishes Ministries, respective executive bodies of the Administration Council, and appoints or removes Vice-Premiers and members of the Administration Council on the recommendation of the Premier of the Administration Council. And it appoints or recalls ambassadors and ministers; appoints or removes high-ranking military cadres; confers military titles of generals; institutes decorations, titles of honour, military titles and diplomatic ranks; confers decorations and titles of honour; and grants general amnesties.

The Central People's Committee has the power to institute or change the administrative districts and proclaim a state of war and issue orders for mobilization in case of emergency.

Thus, the new Constitution provides for the new highest leadership organ of state power in the state structure and defines its functions and authority in such a way that it can lead in a unified way the work of the Administration Council, the local People's Assemblies and People's Committees, justice, procuration, national defence, political security and all the other state work.

This constitutes a sure guarantee for the further strengthening of the sole guidance of the leader to state work and the improvement of guidance to the state organs in keeping with the reality of the developing revolution.

(4) ADMINISTRATION COUNCIL

Article 107: **"The Administration Council is the administrative and executive body of the highest organ of State power.**

"The Administration Council works under the guidance of the President of the Democratic People's Republic of Korea and the Central People's Committee."

As the administrative and executive body of the highest organ of power, the Administration Council is a powerful weapon of the dictatorship of the proletariat, which directly organizes the execution of the teachings of President Kim Il Sung, the General Secretary of the Workers' Party of

Korea and the Head of State, and of the policies of the Party and the state which embody them.

The Administration Council consists of the Premier, Vice-Premiers, Ministers and other necessary members (Article 108).

The new Constitution provides for the duties and authority of the Administration Council (Article 109).

It directs the work of Ministries—its respective executive organs—and local Administrative Committees; drafts the state plan for the development of the national economy, compiles the state budget and adopts measures to implement it; organizes and executes the work of industry, agriculture, home and foreign trade, construction, transport, communications, land administration, municipal administration, science, education, culture, health service, etc.; and adopts measures to strengthen the monetary and banking system.

And it concludes treaties with foreign countries and organizes and conducts external affairs and builds up the people's armed forces, and adopts measures to maintain public order, protect the interests of the state, and safeguard the rights of citizens.

As an administrative and executive body of the highest power organ, the Administration Council is accountable for its activities before the Supreme People's Assembly, the President of the Republic and the Central People's Committee (Article 113).

Thus, the new Constitution affords a guarantee that the Administration Council will conduct state administration in accordance to the will and interests of the people and under their supervision.

2) LOCAL ORGANS OF STATE POWER AND ADMINISTRATIVE BODIES

The local organs of state power and administrative bodies of all levels execute in their respective localities the teachings of President Kim Il Sung and the policies of the Workers' Party of Korea and the state which embody them.

As the local organs of state power there are the local People's Assemblies at all levels and the People's Committees at all levels which act for the local organs of power when the People's Assemblies at the corresponding level are not in session. The local

administrative bodies are the local Administrative Committees at all levels.

Under the new Constitution the local power organs and administrative bodies are organized in the province (or municipality directly under central authority), city (or district) and county according to the local administrative units.

In virtue of the new Constitution the organs of power in township and ri (or workers' district), the former lowest administrative unit, were dissolved to form larger ones, and the state organs in city (or district) and county have become the power organs of the lowest administrative unit.

Timely reorganization of state organs, the lowest state organs in particular, in keeping with the reality of the advancing revolution affords an important guarantee that the state organs will have a closer contact with the masses, that the broad working masses will directly take part in state affairs and state administration and that the teachings of the leader and the policies of the Party and the state which embody them will be promptly and properly executed.

(1) LOCAL PEOPLE'S ASSEMBLY

Article 115: **"The People's Assembly of the province (or municipality directly under central authority), city (or district) and county is the local organ of State power."**

The People's Assembly, local organ of power, consists of the representatives of workers, peasants, soldiers and the working intellectuals elected by the democratic will of the local people. It is the working people's representative organ which exercises power in the districts under its jurisdiction.

The new Constitution gives a wide range of duties and authority to the local People's Assemblies at all levels so that they may fully exercise their functions as power organs (Article 118).

The local People's Assembly has the duties and authority to:

a. approve the local plan for the development of the national economy, and the local budget;

b. elect or recall members of the People's Committee and the Chairman of the Administrative Committee at the corresponding level;

c. elect or recall the judges and people's assessors of the Court at the corresponding level.

The local People's Assembly is duty bound to correctly implement in its respective locality the leader's instructions and the policies of the Party and the state which embody them, strictly abiding by the principle of democratic centralism.

The local People's Assembly, therefore, has the right to annul inappropriate decisions and directives of the People's Committee at the corresponding level and the People's Assemblies and the People's Committees at the lower levels (Paragraph 6, Article 118).

By definitely stipulating thus the functions and powers of the local People's Assemblies, the new Constitution guarantees by law the conditions under which the local People's Assembly, as the real master of the locality concerned, can properly carry on its activity as a power organ, displaying the initiative and identity of the locality in conformity with the people's will and interests.

(2) LOCAL PEOPLE'S COMMITTEE

Article 123: **"The People's Committee of the province (or municipality directly under central authority), city (or district) and county exercises the function of the local organ of State power when the People's Assembly at the corresponding level is not in session."**

The new Constitution stipulates anew for the positions, duties and authority of the local People's Committee in order to further enhance its functions and role as the local power organ in keeping with the actual requirement of socialist construction which is making brisk headway in the Republic (Article 125).

In the past the local People's Committee held the position of a power organ as well as an executive body. But the new state structure defines it as the organ of state power that only functions when the People's Assembly at the corresponding level is not in session.

The local People's Committee consists of the Chairman, Vice-Chairmen, Secretary and members elected by the People's Assembly at the corresponding level.

The local People's Committee has the duties and authority to:

a. convene the session of the People's Assembly, organize work for the election of deputies and work with the deputies;

b. adopt measures to implement the decisions of the corresponding People's Assembly and the People's Committees at higher levels;
c. direct the work of the corresponding Administrative Committee and the People's Committees at lower levels and the work of the state institutions, enterprises and social cooperative organizations within the given area;
d. annul inappropriate decisions and directives of the Administrative Committee at the corresponding level and the People's Committees and Administrative Committees at lower levels, and suspend the implementation of inappropriate decisions of the People's Assemblies at lower levels;
e. appoint or remove the Vice-Chairmen, Secretary and members of the Administrative Committee at the corresponding level.

The local People's Committee is accountable for its activities to the corresponding People's Assembly and the People's Committees at higher levels (Article 127).

The new Constitution's provisions of the functions and powers of the local People's Committee enable it to maintain closer kinship with the people, so that it can further enhance its role as an all-embracing transmission belt closely linking the Party with the masses. They also make it possible to give day-to-day guidance to the administrative bodies in terms of power and supervise and control them, and thus afford a legal guarantee that functionaries of the administrative bodies will rid themselves of bureaucracy in their work and better serve the people as their servants.

As seen above, the new state structure, unlike the former one, separates the People's Committee from the administrative body and newly sets up the system of People's Committees as power organs and the system of the Administrative Committees as administrative bodies. This is of epochal significance in further raising the leading function of the power organs and the service function of the administrative bodies in an allround way.

(3) ADMINISTRATIVE COMMITTEE

Article 128: **"The Administrative Committee of the province (or municipality directly under central authority), city (or district) and county is the administrative and executive body of the local organ of State power."**

Under the new Constitution, the local organs of state power organize the local Administrative Committees, their administrative and executive bodies, in order to implement the teachings of the leader and execute the policies of the Workers' Party of Korea and the state and the laws and ordinances of the state which embody them and successfully fulfil all the political, economic and cultural tasks for the districts under their jurisdiction.

The local Administrative Committee consists of the Chairman, Vice-Chairmen elected, and Secretary and members appointed, by the corresponding local organs of state power (Article 129).

The local Administrative Committee has the duties and authority to (Article 130):

a. organize and carry out all administrative affairs in the given area, implement the decisions and directives of the corresponding power organ and of the organs at higher levels, draft the local plan for the development of the national economy, compile the local budget and adopt measures to implement it;
b. adopt measures to maintain public order, protect the interests of the state, and safeguard the rights of citizens in the given area and guide the work of the Administrative Committees at lower levels;
c. annul inappropriate decisions and directives of the Administrative Committees at lower levels.

The local Administrative Committee is the administrative and executive body of the local power organ and, at the same time, the regional organ under the sole system of state administrative organs.

Because of such a position it holds in the state structure, the local Administrative Committee is accountable for its activities to the local power organ at the corresponding level and is subordinate to the higher Administrative Committees and the Administration Council (Article 132).

2. COURT AND PROCURATOR'S OFFICE

Chapter X of the new Constitution contains new provisions on the Courts and the Procurator's Offices.

Propaganda and education are not enough to safeguard the people's power. It is also necessary to have the organs conducting legal struggles against all offenders including the class enemies. These organs are the Courts, the Procurator's Offices and the social security organs. The Court and the Procurator's Office are part of the people's power of the Republic which executes the lines and policies of the Workers' Party of Korea.

Through their performance of the function of proletarian dictatorship they play the role of defending by law the socialist socio-economic system established in the northern half of Korea and the revolutionary gains from the encroachment of all sorts of counterrevolutionaries and all the criminal elements, of ensuring socialist cultural construction and of firmly guaranteeing the citizens' rights and their interests as provided for in the Constitution.

As a powerful weapon of the revolution, the Court and the Procurator's Office of the Republic have to wage a dauntless struggle to win the socialist revolution and consolidate and develop the established socialist system on the basis of the judicial policy of the Workers' Party of Korea. In other words, in accordance with the demands of the revolutionary situation and class struggle in Korea they discharge such important missions as: to strictly control and supervise the execution of the state laws; to protect the rights of people as guaranteed by the Constitution and their lives and property; to single out and expose beforehand the anti-state, counterrevolutionary manoeuvrings of the enemies; and to exterminate the acts of misappropriating and squandering state property.

In order to carry out these honourable missions and tasks with credit, the functionaries of the Court and the Procurator's Office must, first of all, fully arm themselves with the revolutionary ideology of the Workers' Party of Korea, and safeguard and carry it through, taking it as the guide in their work.

The law of the Republic embodies the lines and policies of the Workers' Party of Korea. To safeguard it, it is imperative for

the functionaries of the Court and the Procurator's Office to equip themselves with the lines and policies of the Party, take them as their guideline, and correctly execute the law. Therefore, in order to make unerring use of a powerful weapon of the dictatorship of the proletariat, the functionaries of the Court and the Procurator's Office should deeply study the lines and policies of the Party and implement all their work under the leadership of the Party.

Moreover, in order to properly execute the law under the guidance and control of the Workers' Party, the Court and the Procurator's Office should thoroughly implement the Chongsan-ri spirit and the Chongsan-ri method in their work. For the successful struggle against counterrevolution and all the other criminal acts, they should carry out their work in reliance on the broad sections of popular masses on the basis of the class and mass lines of the Party. This means that they go deep into the popular masses on the spot where the Party's policies and the state laws and ordinances are executed, explain and publicize them and educate the masses so as to rouse them in the struggle against crimes.

1) COURT OF THE REPUBLIC

As mentioned in Part One, upon its establishment people's power of the Republic liquidated the judicial setup of Japanese imperialism, which was used in suppressing the Korean people, and organized the People's Court and made it an organ safeguarding their interests.

In pursuance of the judicial policy of the Workers' Party of Korea the Court of the Republic safeguards socialist society, the state and social system, the socialist economic system and socialist property from all sorts of criminal encroachment through judicial proceedings, that is, through the disposition of criminal or civil cases, and protects the legal interests of the organs, enterprises and organizations, and the legal rights and interests of citizens.

The Court of the Republic applies the compulsory measures of the state in order to implement those tasks. It makes sure that all the organs, organizations, public service personnel and citizens of the Republic execute the state laws and ordinances unerringly and sincerely.

However, in its work the Court does not resort only to the method of applying the state's coercive means. It should discharge its educational function for the broad working masses while applying the state compulsion to criminals. This is its important function. In this respect, the Court of the Republic is an educational institute as well as a state's compulsory organ which implements the judicial policy of the Workers' Party of Korea. In other words, the Court not only punishes criminals but enlightens and reeducates them. Through its work the Court educates the working people to love their country, exactly observe the laws, regulations and rules of the state, value state and public property, faithfully fulfil their duties to the state and society and to have hatred against the class enemy.

(1) JUDICIAL ORGANS

Article 133: **"Justice is administered by the Central Court, the Court of the province (or municipality directly under central authority), the People's Court and the Special Court.**

"Verdict is delivered in the name of the Democratic People's Republic of Korea."

The Republic's judicial organs consist of the Central Court, the Court of the province (or municipality directly under central authority), the People's Court and the Special Court.

The new Constitution provides that the judges and the people's assessors of the Central Court and the local Courts at all levels are elected by the Standing Committee of the Supreme People's Assembly and the local People's Assemblies respectively (Article 134) and that justice is administered in strict accordance with law by the Court composed of judge and the people's assessors.

Furthermore, the new Constitution explicitly stipulates that the functions of the Court are to safeguard the state power of the workers and peasants, the socialist system, the property of the state and social cooperative organizations, the personal rights as guaranteed by the Constitution and the lives and property of citizens against all infringements and actively struggle against class enemies and the law-breakers (Article 136).

This is a scientifically formulated provision of the functions of the Court in socialist society and, at the same time, clarifies the class and popular character of the socialist judicial system.

As the lowest organ under the judicial system, the People's Court exercises jurisdiction of a wide range of criminal or civil cases. The People's Court is the court of the first instance. All cases are heard and decided by the Court composed of one presiding judge and two people's assessors with the equal authority with the judge (Article 137). The accused and the accuser have the right to appeal to the higher Court, that is, the Court of the province (or municipality directly under central authority) against the judgements or findings of the People's Court, the court of the first instance, and the public procurator can also make a protest against them.

The Court of the province (or municipality directly under central authority) conducts the first and second hearings. In other words, it does the work of the court of the first instance composed of one judge and two people's assessors to hear the criminal or civil cases under its jurisdiction. And it does the work of the court of the second instance composed of three judges to hear and decide upon the cases appealed and protested against the judgements or findings of the People's Court.

The decision made by the court of the province (or municipality directly under central authority), the court of the second instance, is final, and there is no appeal or protest from it. Only through the procedure of emergency appeal, can a case be submitted to the Central Court.

The Court of the province (or municipality directly under central authority) also performs the function of judicial administration but, what is of particular importance in its function is to educate the functionaries of the judicial organs under its jurisdiction, regularly organize and lead the judicial and administrative activities of the People's Courts in their work for the implementation of Party policies, examine the results of work, help them rectify their shortcomings and sum up their judicial experience and generalize it.

As the Special Courts there are the Military Court in the Korean People's Army units and the Traffic and Transport Court in the railway and water transport organs.

The Korean People's Army units and the field of transport hold a special position in the state machine of the Republic and have a series of characteristics distinctive from the ordinary state and social organs in the contents of work, work method and discipline. In consideration of those characteristics the

Special Court is established to hear and decide upon the criminal cases of People's Armymen and transport workers and other cases related to military affairs. An appeal can be addressed to the Central Court in protest against the judgements or findings of the Special Court.

As provided for in the new Constitution, the Central Court, the highest judicial organ of the Republic, supervises the judicial work of all the Courts and is responsible for its work to the Supreme People's Assembly, the President of the Republic and the Central People's Committee. The local Courts are responsible for their work to their respective People's Assemblies.

The Central Court as the court of the first instance hears and judges particularly aggravated criminal and civil cases of nationwide consequence. And as the court of the second instance, it deals with the cases appealed and protested against the ambulatory judgements or findings of the provincial Court and the Special Court. It also hears and passes judgement on the cases which incur emergency appeal against the final and conclusive judgements or findings of the Court. Moreover, in order to secure coordination in applying law and summarize and generalize the experience in the practice of justice, the Central Court exercises the function of giving binding instructions to the judicial organs at all levels and deciding upon the retrial of the case in which the irrevocable judgements or findings are given.

The function of judicial administration of the Central Court is of weighty importance in directing and supervising the organization and work of the Courts in the Republic. The Central Court strengthens the education of the personnel of the Courts at all levels in the Party's policies, enhances their political and practical level, and organizes and mobilizes them to carry out Party policies. Besides, it conducts organizational work to firmly establish its work system to suit the developing reality and to constantly improve its work method and work style by implementing the Chongsan-ri spirit and Chongsan-ri method.

The Central Court exercises the function of directing and supervising the work and activities of all the Courts of the Republic. It also directs execution and authentication and gives general guidance to the bar association.

As shown above, the Central Court constantly improves and strengthens the work of the judicial organs through judicial administration. It helps judicial functionaries establish the monolithic ideological system of the Workers' Party of Korea, heighten their political and practical level and strengthen the function of proletarian dictatorship of the judicial organs.

(2) BASIC PRINCIPLES OF ORGANIZATION AND WORK OF THE COURTS OF THE REPUBLIC

The principles of organization and work of the judicial organs of the Republic is definitely stipulated in its law. The basic principles of organization and work of the Courts defined in the new Constitution are: The principle of Party guidance to judicial work; the principle of election of judges and people's assessors; the principle of conducting the first trial with the attendance of one judge and two people's assessors; the principle of conducting judicial proceedings in the Korean language; the principle of hearing cases in public; the principle of guaranteeing the right to defence to the accused for the correct judgement of cases, etc.

Like this, the judicial organs of the Republic are based on the most democratic principle in their organization and work and assume the popular character which agrees with the interests of the people. This makes it possible for the judicial organs to serve the people better and acquit themselves of their functions as a weapon of the class struggle.

2) PROCURATOR'S OFFICE OF THE REPUBLIC

The Procurator's Office of the Republic constitutes a weapon of the dictatorship of the proletariat: Through its control and supervision of the accurate observance and execution of law under the guidance of the Workers' Party of Korea, it ensures the thorough implementation of Party policies, safeguards the gains of socialism from the encroachment of the class enemies and all the other offenders and protects the rights of people as guaranteed by the Constitution and their lives and property. In other words, the important mission of the Procurator's Office is to thoroughly implement Party policies by controlling and supervising the correct observance of the socialist law and the execution of laws and ordinances and struggling against the criminal cases by disclosing criminal acts and taking appropriate legal sanctions against criminals.

In order to fulfil this basic mission the Procurator's Office performs the following functions: General surveillance, investi-

gation, supervision of preliminary examination and surveillance during detention, etc.

In the first place, through its general surveillance the Procurator's Office supervises the proper and sincere observance and execution of the laws, decrees, decisions and orders on the part of Ministries of the Administration Council, central organs and local power organs, and institutions and enterprises under their control, and public service personnel and ordinary citizens. This is its basic form of work.

In the next place, the Procurator's Office performs the function of investigation or supervision of preliminary examination. The public procurator guides the preliminary hearings of the examiners of the Procurator's Office, and directs and supervises those of the investigation organs and social security organs. Another important function of the Procurator's Office is to supervise judicial proceedings. The public procurator stands for the state in criminal judgement and supports prosecution against the offending persons in the hearing.

The public procurator, when necessary, stands in the place of the state to safeguard the interests of the state and society and the rights and interests of citizens and participates in civil trial as well. The public procurator participates in both criminal and civil trials and supervises, through the whole course of judicial proceedings, if they are conducted correctly in strict accordance with the law of the Republic. Furthermore, he discharges the function of observing whether judgements and findings of the Court are correctly executed or not.

The Procurator's Office of the Republic is organized and functions strictly on the principle of centralism. The new Constitution provides that procuration affairs are conducted under the coordinated leadership of the Central Procurator's Office and all the Procurator's Offices are subordinated to their higher offices and the Central Procurator's Office (Article 145), and the Central Procurator's Office is accountable for its activities to the Supreme People's Assembly, the President of the state and the Central People's Committee (Article 146).

The reason why the Procurator's Office is not subordinated to local organs of power but is organized and works under the guidance of the Workers' Party of Korea on the principle of centralism that subordinates it only to its higher offices, can be explained as follows: The Procurator's Office should ensure coordination in the execution of the state law without being restrained to any peculiarity or difference of the area concerned and, at the same time, should swiftly and nimbly dispose of all the infractions of the laws. However, the independent function of the Procurator's Office without being subordinated to the local power organs does not mean that it is not placed under the guidance of the local Party Committee concerned or works at its own will without any connection with the relevant local power organ. Only when the Procurator's Office carries on its work under the leadership of the Party, can it more smoothly perform its function of supervision for the coordinated execution of the state law and wage a successful struggle against the offenders.

SYSTEM OF PROCURATOR'S OFFICES IN THE REPUBLIC

Article 143: **"Investigation and prosecution are conducted by the Central Procurator's Office, the Procurator's Offices of the province (or municipality directly under central authority), city (or district) and county and Special Procurator's Office."**

Under the Socialist Constitution, the Republic's system of Procurator's Offices consists of the Central Procurator's Office, Procurator's Offices of the province (or municipality directly under central authority), city (or district) and county and Special Procurator's Office in strict accordance with the principle of centralism.

The Procurator General of the Central Procurator's Office is appointed by the Supreme People's Assembly (Paragraph 8, Article 76) and the Central Procurator's Office appoints or removes all the public procurators of the Republic (Paragraph 2, Article 145) and directs and supervises their work. The Procurator's Offices of the province (or municipality directly under central authority), city (or district) and county have the Procurator General entrusted with full powers over procurator affairs in the areas under their control and, under him, public procurators and examiners. The Procurator Generals of Procurator's Offices at all levels stand for the corresponding Procurator's Offices of the Republic and perform the function of supervising the observance of the laws. The public procurator conducts the entrusted work under the guidance of the Procurator General.

As can be seen above, the Procurator's Offices of the Republic are democratic and popular in the light of their functions, organization and work.

CHAPTER VI

EMBLEM, FLAG AND CAPITAL

1. NATIONAL EMBLEM AND FLAG

Each state has its own emblem and symbol. These officially represent sovereignty of the state.

In view of their national significance, the official emblem and symbol of the state are generally provided for in the Constitution, the fundamental law of the state.

1) NATIONAL EMBLEM

Article 147: **"The national emblem of the Democratic People's Republic of Korea is adorned with the design of a grand hydroelectric power plant under the beaming light of a five-pointed red star, ovally framed with ears of rice bound with a red band bearing the inscription 'The Democratic People's Republic of Korea'."**

The five-pointed star and its rays on the upper part of the national emblem symbolize the brilliant revolutionary traditions of the glorious anti-Japanese revolutionary struggle inherited in an allround way by the state power of the Republic.

They also symbolize the future of the Korean people who, upholding the Juche idea, the great revolutionary idea of President Kim Il Sung, dash forward in the spirit of Chollima for the reunification and independence of the fatherland and towards socialism and communism.

The hydroelectric power station inside the emblem symbolizes the up-to-date, independent industry resting on powerful heavy industry and the working class, the leading class of the revolution, and the ears of rice framing the emblem represent the developed agriculture and the peasantry, the reliable ally of the working class.

The oval emblem with the red band bound round symbolizes the invincibility and eternal might of the Korean people who are closely rallied around the leader with one idea and purpose on the basis of the monolithic ideology of the Party, the great revolutionary thinking of President Kim Il Sung.

"The Democratic People's Republic of Korea" inscribed on the red band of the emblem is the state name of Korea.

This name denotes that it is an independent socialist state, the revolutionary power of the workers and peasants with a new socialist basis and solid political foundation, and the most democratic state drawing the broad popular masses in the affairs of state.

The Democratic People's Republic of Korea is a genuine people's state which exercises strict dictatorship over the class enemy by strengthening the proletarian dictatorship, and ensures genuine political freedom and rights and happy material and cultural life to the workers, peasants and other segments of the people, who are the masters of the country.

2) NATIONAL FLAG

Article 148: **"The national flag of the Democratic People's Republic of Korea has a red panel across the middle, bordered above and below in sequence by a thin white stripe and a broad blue stripe. On the red panel near the staff is depicted a five-pointed red star within a white circle.**

"The ratio of width to length is 1:2."

The five-pointed red star symbolizes the brilliant revolutionary traditions of the anti-Japanese revolutionary struggle carried forward in an allround way by the state power of the Republic. It also symbolizes the bright future of the Korean people who, upholding the immortal Juche idea, are vigorously advancing towards the reunification and independence of the country and the victory of the cause of socialism and communism.

The red stripe symbolizes the lofty patriotism of the anti-Japanese revolutionary fighters who waged a bloody struggle for the restoration of the country and for the freedom and liberation of the people, the indomitable fighting spirit of the Korean people who are fighting determinedly for the reunifi-

cation and independence of the country and the victory of socialism and communism, and the invincible revolutionary force of the Korean people rallied closely around the leader.

The white circle and the two white stripes of the flag mean the Korean nation is a homogeneous nation with thousands of years of long history and brilliant national culture and that the Korean people who have inherited the glorious revolutionary traditions established in the days of the anti-Japanese revolutionary struggle are the heroic people, resourceful, industrious, valorous, patriotic-minded, upright and staunch in fighting.

The two blue stripes in the outermost parts of the national flag symbolize the ardent aspiration of the Korean people to unite with the socialist countries and the revolutionary people all over the world and fight resolutely for the victory of the common cause of peace, democracy, national independence and socialism under the uplifted banner of Marxism-Leninism and proletarian internationalism, under the revolutionary banner of the anti-imperialist, anti-US imperialist struggle.

2. CAPITAL

Article 149: **"The capital of the Democratic People's Republic of Korea is Pyongyang."**

The new Constitution proclaims the heroic city of Pyongyang the capital of the Democratic People's Republic of Korea, the glorious socialist fatherland of the entire Korean people.

The capital of a country serves as the centre of politics, the economy and culture and is an epitome concentrically showing the might of the country. Pyongyang, the revolutionary capital, is the cradle of the Korean revolution and the heart of the entire Korean people.

It was in Pyongyang that the great revolutionary program was drafted for the building of a new state, the Workers' Party of Korea founded, and the revolutionary power of the workers and peasants established.

Today, Pyongyang is widely known to the world revolutionary people as the capital of the "fatherland of Juche" and the "model socialist country".

It is of great significance that the new Constitution fixes

Pyongyang as the capital of the Republic. This gives greater encouragement to the Korean people in their struggle to consolidate the socialist system established in the northern half of the Republic and achieve the complete victory of socialism.

It also greatly inspires the south Korean people who have risen in the struggle for the independent reunification of the country against US imperialism and gratifies the national pride and self-respect of all the overseas compatriots.

Moreover, it further consolidates the honorable position Pyongyang is holding in the development of the Korean revolution as well as the world revolution.

APPENDICES

CONSTITUTION OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

(September 8, 1948)

CHAPTER I
BASIC PRINCIPLES

Article 1. Our state is the Democratic People's Republic of Korea.

Article 2. The state power of the DPRK belongs to the people.

The representative organs through which the people exercise power are the Supreme People's Assembly and the local people's assemblies at all levels.

Article 3. All the representative organs of state power from ri people's assemblies to the Supreme People's Assembly are elected by the free will of the people.

The elections to the organs of state power are conducted by the citizens of the DPRK on the basis of universal, equal and direct suffrage by secret ballot.

Article 4. Deputies to all the organs of state power are responsible to their electors for their activities.

The electors may recall their deputies before the expiration of the term of office in case the deputies betray their confidence.

Article 5. In the DPRK the ownership of the means of production takes the following forms: state ownership; cooperative ownership; ownership by private natural or by private juridical person.

Mines and other mineral wealth, forests, waters, major enterprises, banks, rail, water and air transport, communication, water-works, natural energy, as well as all the property which formerly belonged to the Japanese government, the Japanese nationals or pro-Japanese elements, are owned by the state.

Foreign trade is conducted by the state or under its supervision.

Article 6. The land owned by the Japanese government and the Japanese nationals as well as the Korean landlords is confiscated.

The tenancy system is abolished forever.

Only those who till land with their own labour are allowed to own it.

Maximum extent of land ownership is 5 or 20 *chongbo*.

Maximum extent of land ownership is specially prescribed by law according to locality and conditions.

Alongside the private ownership of land, the state and cooperative organizations are allowed to own land.

No limit is imposed upon the acreage owned by the state and cooperative organizations.

The state protects in particular the interests of the working peasants and gives them help in various forms in so far as the economic policy permits.

Article 7. In the areas in Korea where the land reform has not yet been effected, it is to be carried out at the date fixed by the Supreme People's Assembly of the DPRK.

Article 8. The private ownership prescribed by law of land, draught cattle, farm implements and other means of production, medium and small industrial enterprises, medium and small trade, raw materials and manufactured goods, residences and outhouses, articles of domestic economy, income and savings is protected by law.

The right to inherit private property is ensured by law.

Creative initiative in private economy is encouraged.

Article 9. The state encourages the development of the cooperative organizations of the people.

The property of the cooperative organizations is protected by law.

Article 10. With a view to utilizing rationally in the interests of the people all the domestic economic resources and all potential resources, the state works out a uniform national economic plan, and strives accordingly for the restoration and development of the national economy and culture.

The state carries out the national economic plan on the basis of state and cooperative ownership, and allows privately-owned economy to participate in it.

CHAPTER II

FUNDAMENTAL RIGHTS AND DUTIES OF CITIZENS

Article 11. All citizens of the DPRK, irrespective of sex, nationality, religious belief, specialty, property status or education, have equal rights in all spheres of government, political, economic, social and cultural activity.

Article 12. All citizens of the DPRK who have reached the age of 18, irrespective of sex, nationality, social origin, religious belief, length of residence, property status or education, have the right to elect and be elected to organs of state power. Citizens serving in the Korean People's Army have the right to elect and be elected to organs of state power on equal terms with other citizens.

Persons who are disfranchised by the decision of a court, insane persons, and the pro-Japanese elements have no right to elect and be elected.

Article 13. Citizens of the DPRK have freedom of speech, the press, association, assembly, mass meetings and demonstration.

Citizens are guaranteed the right to organize and unite in democratic political parties, trade unions, cooperative organizations, sports, cultural, technical, scientific and other societies.

Article 14. Citizens of the DPRK have freedom of religious belief and of conducting religious services.

Article 15. Citizens of the DPRK have the right to equal pay for equal work in the state organs, cooperative organizations, and in the privately-owned enterprises.

Article 16. Citizens of the DPRK have the right to rest.

The right to rest is ensured by the establishment of an eight-hour working day for workers and office employees and by the institution of paid vacations.

Article 17. Citizens of the DPRK who are entitled to the benefit of social insurance have the right to material assistance in old age and in case of sickness or disability.

This right is ensured in the form of medical service and

material assistance in accordance with social insurance provided by the state.

Article 18. Citizens of the DPRK have the right to education.

Elementary education is universal and compulsory.

The state ensures free education for the children of poor citizens.

A system of state stipends is applied to the majority of students of technical and higher educational institutions.

Education is conducted in the national language.

Article 19. Citizens of the DPRK have freedom of running medium and small industrial enterprises and engaging in commerce.

Article 20. Citizens of the DPRK have freedom of engaging in scientific and artistic pursuits.

Copyright and patent right of invention are protected by law.

Article 21. The inviolability of the homes of citizens and privacy of correspondence are protected by law.

Article 22. Women in the DPRK are accorded equal rights with men in all spheres of government, political, economic, social and cultural activity.

The state protects especially mothers and children.

Article 23. The state protects marriage and the family.

Duties of parents to the child born out of wedlock are equal with the duties to the child born in wedlock.

The child born out of wedlock has equal rights with the child born in wedlock.

Juridical relations of marriage and the family are specially prescribed by law.

Article 24. Citizens of the DPRK are guaranteed inviolability of the person.

No citizen may be placed under arrest except by decision of a court or with the sanction of a procurator.

Article 25. Citizens of the DPRK have the right to submit petition and make complaints to the organs of state power.

Citizens have the right to make complaints to any government authority against transgression of the law in the discharge of duty by any government employee and the right to compensation for the loss sustained as a result of infringement of their rights.

Article 26. The DPRK affords the right of asylum to foreign

nationals persecuted for fighting for democratic principles or national liberation movement, or for the interests of the working people or for freedom of scientific and cultural activities.

Article 27. Citizens of the DPRK must abide by the Constitution and the law.

It is the most heinous of crimes against the state to abuse the rights granted by the Constitution for the purpose of altering or undermining the lawful order provided for in the Constitution, and is punishable by law.

Article 28. It is the duty of every citizen of the DPRK to defend the homeland.

To defend the homeland is the highest duty and honour of every citizen of the DPRK.

It is the most heinous of crimes to betray the homeland and the people, and the criminal is subject to severe punishment.

Article 29. It is the duty of every citizen of the DPRK to pay taxes according to his economic status.

Article 30. It is the duty of every citizen of the DPRK to work.

Work is a matter of honour for the Korean people.

In the DPRK work constitutes a foundation for the development of the national economy and culture.

Article 31. The national minorities who have the citizenship of the DPRK are guaranteed equal rights with the Korean citizens.

They have freedom to use their mother tongues and develop their own national culture.

CHAPTER III

THE HIGHEST ORGAN OF STATE POWER

SECTION 1. THE SUPREME PEOPLE'S ASSEMBLY

Article 32. The Supreme People's Assembly is the highest organ of state power in the DPRK.

Article 33. The legislative power of the state is exercised exclusively by the Supreme People's Assembly of the DPRK.

Article 34. The Supreme People's Assembly is composed of deputies elected on the basis of universal, equal and direct suffrage by secret ballot.

Article 35. The Supreme People's Assembly is elected at the ratio of one deputy for every 50,000 of the population. (At the First Session of the Third Supreme People's Assembly on October 12, 1962, the ratio was revised to one deputy for every 30,000 of the population.—*Ed.*)

Article 36. Deputies of the Supreme People's Assembly are elected for a term of four years.

Article 37. The Supreme People's Assembly exercises the supreme power of the state, with the exception of the rights vested by the Constitution in the Presidium of the Supreme People's Assembly and in the Cabinet.

The following powers are exercised exclusively by the Supreme People's Assembly:

(1) to approve and amend the Constitution;
(2) to establish basic principles of the domestic and foreign policies;
(3) to elect the Presidium of the Supreme People's Assembly;
(4) to form the Cabinet;
(5) to pass laws and to approve major decrees adopted by the Presidium of the Supreme People's Assembly when the Supreme People's Assembly is not in session;
(6) to approve the national economic plan;
(7) to approve the state budget;
(8) to establish or revise the status and boundaries of provinces, cities, counties and ri, towns or workers' settlements;
(9) to exercise the right of amnesty;
(10) to elect the Supreme Court;
(11) to appoint the Procurator-General.

Article 38. The Supreme People's Assembly convenes ordinary and extraordinary sessions.

Ordinary sessions are convened twice a year.

Ordinary sessions are convened by the decision of the Presidium of the Supreme People's Assembly.

Extraordinary sessions are convened by the Presidium of the Supreme People's Assembly when it deems necessary or on the demand of over one third of the deputies.

Article 39. The Supreme People's Assembly elects a Chairman and two Vice-Chairmen.

The Chairman presides over the sittings in accordance with the regulations adopted by the Supreme People's Assembly.

Article 40. Attendance of a simple majority of the entire deputies is required to hold sessions of the Supreme People's Assembly.

Laws are adopted by a majority vote of the deputies present at the session.

Article 41. The law passed by the Supreme People's Assembly is published over the signatures of the Chairman and the Secretary-General of the Presidium of the Supreme People's Assembly within a period not exceeding five days.

Article 42. The Supreme People's Assembly may organize appropriate committees to consider in advance matters for discussion.

The committees are entitled to supervise the organs of state power and the organs subordinate to them.

Article 43. The Supreme People's Assembly establishes a Legislative Bills Committee to draw up or consider draft laws to be submitted to the Supreme People's Assembly for approval.

Article 44. Deputies to the Supreme People's Assembly are ensured inviolability as deputies.

No deputy to the Supreme People's Assembly may be arrested or punished except in case of a flagrant offence without the consent of the Supreme People's Assembly or, when the Supreme People's Assembly is not in session, without the consent of the Presidium of the Supreme People's Assembly.

Article 45. Prior to the expiration of the term of office of

the Supreme People's Assembly, its Presidium shall arrange the holding of elections to the succeeding Supreme People's Assembly.

In the event of the dissolution of the Supreme People's Assembly, new elections must be carried out within a period not exceeding two months from the date of its dissolution.

Article 46. Should extraordinary circumstances arise, the sitting Supreme People's Assembly may exercise its powers exceeding the term of office provided for in the Constitution as long as the circumstances continue.

The Supreme People's Assembly, in such event, may decide upon its dissolution before its term of office expires.

SECTION 2. THE PRESIDIUM OF THE SUPREME PEOPLE'S ASSEMBLY

Article 47. The Presidium of the Supreme People's Assembly is the highest organ of state power when the Supreme People's Assembly is not in session.

Article 48. The Presidium of the Supreme People's Assembly is elected by the Supreme People's Assembly and composed of a Chairman, Vice-Chairmen, a Secretary-General and its members.

Article 49. The Presidium of the Supreme People's Assembly exercises the following functions:

(1) to convene the Supreme People's Assembly;
(2) to supervise the execution of the Constitution and laws, and interpret the laws in operation and issue decrees;
(3) to annul decisions and orders of the Cabinet where these contravene the Constitution or laws;
(4) to promulgate laws adopted by the Supreme People's Assembly;
(5) to exercise the right of pardon;
(6) to appoint and remove Ministers upon recommendation by the Premier when the Supreme People's Assembly is not in session, subject to subsequent confirmation by the Supreme People's Assembly;
(7) to award orders and medals and confer titles of honour;
(8) to ratify or annul treaties concluded with foreign states;
(9) to appoint or recall ambassadors and ministers to foreign states;
(10) to receive the letters of credence and recall of diplomatic representatives accredited to it by foreign states.

Article 50. The Presidium of the Supreme People's Assembly is responsible to the Supreme People's Assembly for its activities, and the Supreme People's Assembly reelects, whenever it deems necessary, some or all of the members of the Presidium of the Supreme People's Assembly.

Article 51. In the event of dissolution of the Supreme People's Assembly, the Presidium of the Supreme People's Assembly exercises its functions until a new Presidium of the Supreme People's Assembly is elected.

CHAPTER IV

THE CENTRAL EXECUTIVE ORGAN OF STATE POWER

SECTION 1. THE CABINET

Article 52. The Cabinet of the DPRK is the highest executive organ of state power.

Article 53. The Cabinet of the DPRK has the right to promulgate decisions and orders in accordance with the Constitution and laws.

The decisions and orders promulgated by the Cabinet are binding throughout the territory of the DPRK.

Article 54. The Cabinet of the DPRK controls and directs the work of all ministries and other organs subordinate to it.

Article 55. The Cabinet of the DPRK exercises the following functions:

(1) to conduct general guidance in the sphere of relations with foreign states and conclude treaties with foreign states;
(2) to control foreign trade;
(3) to direct local organs of state power;
(4) to organize the monetary and credit system;
(5) to draw up a uniform state budget and to fix taxation

and other revenue included in the state and local budgets;

(6) to direct state industrial and commercial establishments, agricultural enterprises and state transport and communication facilities;

(7) to adopt measures for the maintenance of public order, for the protection of the interests of the state and for the safeguarding of the rights of citizens;

(8) to establish basic principles concerning the utilization of land, mineral wealth, forests and waters;

(9) to direct the educational, cultural, scientific, artistic and public health work;

(10) to establish political, economic and social measures for the improvement of economic and cultural standards of the people;

(11) to direct the formation of the Korean People's Army; to appoint and remove high-ranking officers of the Korean People's Army;

(12) to appoint and remove Vice-Ministers, managers of major industrial enterprises and rectors of universities.

Article 56. The Cabinet of the DPRK has the right to annul ordinances and regulations of the ministries, decisions and directives of the provincial people's committees where these contravene the Constitution, laws and decrees or decisions and orders issued by the Cabinet.

Article 57. The decisions of the Cabinet are adopted by a majority vote.

The decisions adopted by the Cabinet are published over the signatures of the Premier and the Ministers concerned.

Article 58. The Cabinet of the DPRK is composed of the following persons:

(1) the Premier;
(2) the Vice-Premiers;
(3) the Ministers;
(4) the Chairmen of the Committees.

The organization of the Cabinet is specially determined by law.

Article 59. The Premier is the head of the government of the DPRK.

The Premier convenes and presides over the Cabinet meetings.

The Vice-Premier is under the direction of the Premier, and should the Premier be absent from the office for reasons the Vice-Premier acts on behalf of the Premier.

When the Vice-Premier acts on behalf of the Premier, the Vice-Premier exercises equal rights with the Premier.

Article 60. The Cabinet of the DPRK is subordinate to the Supreme People's Assembly in its work, and is responsible to the Presidium of the Supreme People's Assembly when the Supreme People's Assembly is not in session.

Article 61. The Premier, Vice-Premiers and Ministers take the following oath before the Supreme People's Assembly:

"I pledge myself to serve faithfully the Korean people and the Democratic People's Republic of Korea, to fight solely for the welfare of the entire people and the country through my activities in the capacity of a member of the Cabinet, to observe strictly the Constitution and the laws of the Democratic People's Republic of Korea, and to dedicate all my power and ability to the safeguarding of the sovereignty of the Democratic People's Republic of Korea and democratic freedoms."

Article 62. Deputies to the Supreme People's Assembly may address questions to the Cabinet or to the Ministers.

The Cabinet or a Minister to whom a question is addressed is obliged to furnish answers in accordance with the procedure prescribed by the Supreme People's Assembly.

SECTION 2. THE MINISTRIES

Article 63. The ministries are the executive organs of state power in their respective branches.

Article 64. The functions of the ministries are to direct their respective branches of the state administration within the jurisdiction of the Cabinet.

Article 65. The Minister is the head of the ministry.

The Minister is a member of the Cabinet with a vote and is subject to the Cabinet in discharging his duties.

Article 66. The Minister may, within the limits of his authority, issue ministerial ordinances or regulations whose execution is binding.

Article 67. Should the Minister for reasons be unable to

perform his duties, the Vice-Minister exercises the functions on his behalf. The Vice-Minister is under the direction of the Minister.

CHAPTER V

THE LOCAL ORGANS OF STATE POWER

Article 68. The local organs of state power in provinces, cities, counties or city districts and ri, towns or workers' settlements are the respective people's assemblies.

Article 69. The people's assemblies at all levels are composed of the deputies elected on the basis of universal, equal and direct suffrage by secret ballot.

The provincial people's assemblies are elected for a term of four years and the people's assemblies of cities, counties or city districts and ri, towns or workers' settlements for a term of two years.

The elections to the people's assemblies at all levels are specially provided for by law.

Article 70. The local people's assemblies at all levels ensure the observance and execution of laws in their respective areas; direct all activities in economic, public and cultural fields; approve local budgets; ensure the protection of state and public property, the maintenance of public order and the rights of citizens.

Article 71. The local people's assemblies at all levels adopt decisions within the limits of the powers vested in them by law.

Article 72. The people's committees of provinces, cities, counties or city districts and ri, towns or workers' settlements are the executive organs of the people's assemblies at corresponding levels and the local administrative organs of the state.

Article 73. The people's committees at all levels each consist of a chairman, vice-chairmen, a secretary-general and committee members elected by the people's assemblies at corresponding levels.

Article 74. The people's committees at all levels carry out all administrative affairs of the state in the areas under their jurisdiction in pursuance of decisions and directives of the

people's assemblies at corresponding levels and the organs at higher levels.

Article 75. The people's committees at all levels are responsible for their activities to the people's assemblies at corresponding levels and the people's committees at higher levels.

All the people's committees are under the unified leadership of, and subordinate to, the Cabinet.

Article 76. The people's committees at higher levels have the right to annul or revise decisions and directives of the people's committees at lower levels, and to suspend decisions of the people's assemblies at lower levels.

Article 77. The people's assemblies at higher levels have the right to annul or revise decisions and directives of the people's assemblies and the people's committees at lower levels.

Article 78. The people's committees at all levels, even after the expiration of the term of office of the people's assemblies at corresponding levels, continue to perform their functions until new people's committees are elected.

Article 79. The people's committees of provinces, cities and counties or city districts are provided with adequate departments for the direction of their affairs.

These departments are specially provided for by law.

Article 80. The heads of departments of the people's committees of provinces, cities and counties or city districts are subordinate to the people's assemblies and the people's committees to which they belong, and to the corresponding departments of the people's committees at higher levels and to the ministries concerned.

Article 81. The people's assemblies and the people's committees at all levels must always secure a broad participation of the local population in the discharge of their duties and rely upon their initiative.

CHAPTER VI

THE COURTS AND THE PROCURATOR'S OFFICE

Article 82. In the DPRK, cases are tried by the Supreme Court, the courts of provinces, cities and counties, and the special courts.

Judgement is passed and executed in the name of the DPRK.

Article 83. The courts are organized through elections.

The Supreme Court is elected by the Supreme People's Assembly.

The courts of provinces, cities and counties are elected by the people's assemblies at corresponding levels by secret ballot.

The organization of the special courts is specially provided for by law.

Judges or people's assessors are removed only by means of recall of the organs which elected them.

Article 84. The first trial is conducted with the participation of the people's assessors who have equal rights with judges.

Article 85. Every citizen who has the right to vote has the right to be a judge or a people's assessor.

Those who served as judges or procurators under Japanese rule are deprived of the right to be judges or procurators.

Article 86. Cases are tried in public, and the accused is guaranteed the right to defence.

Cases may be closed to the public by the decision of a court only in cases otherwise provided for by law.

Article 87. Judicial proceedings are conducted in the Korean language.

Persons not knowing this language are guaranteed the opportunity of fully acquainting themselves with the records of the case through an interpreter and likewise the right to use their own language in court.

Article 88. Judges are independent and subject only to the law in exercising judicial authority.

Article 89. The Supreme Court is the highest judicial organ of the DPRK.

The Supreme Court supervises the judicial work of all courts.

Article 90. Procurators exercise supervision to ensure precise and honest observance and execution of the law by all ministries and institutions and organizations subordinate to them as well as by officials and citizens.

Article 91. Procurators supervise if the ordinances and regulations of all ministries and the decisions and directives of local organs of state power conform with the Constitution, laws and decrees, as well as with the decisions and orders of the Cabinet.

Article 92. The head of the Supreme Procurator's Office is the Procurator-General appointed by the Supreme People's Assembly.

Article 93. Procurators of provinces, cities and counties are appointed by the Procurator-General.

Article 94. Procurators are independent in the discharge of their duties without being subject to the local organs of state power.

CHAPTER VII
THE STATE BUDGET

Article 95. The fundamental aim of the state budget is to organize a mighty national economy by consolidating all the state property, enhance the cultural and living standards of the people, and strengthen the national defence.

Article 96. The state budget is annually drawn up by the Cabinet and subject to approval by the Supreme People's Assembly.

Article 97. The state revenue and expenditure are consolidated in a uniform state budget.

Article 98. No organ of state power is allowed to make any outlay not stipulated in the state budget.

All the organs of state power must observe the financial discipline and consolidate the financial system.

Article 99. To practise economy on, and make rational use of, the state finance is the fundamental principle of financial activities.

CHAPTER VIII
NATIONAL DEFENCE

Article 100. The Korean People's Army is formed for the defence of the DPRK.

The mission of the Korean People's Army is to safeguard the sovereignty of the fatherland and freedom of the people.

CHAPTER IX

STATE EMBLEM, NATIONAL FLAG, CAPITAL

Article 101. The state emblem of the DPRK is a grand hydroelectric power station under the beaming light of a red star, framed with ears of rice bound with a band bearing the inscription "The Democratic People's Republic of Korea".

Article 102. The national flag of the DPRK is of three colours—a broad, red horizontal stripe in the centre with a five-pointed red star in a white circle near the staff, and white and blue stripes over and under the red stripe. The ratio of the width to the length is 1:2.

Article 103. The capital of the DPRK is the City of Seoul.

CHAPTER X

PROCEDURE FOR AMENDING THE CONSTITUTION

Article 104. The Constitution of the DPRK may be amended only by the Supreme People's Assembly. Adoption of the draft laws for amendments to the Constitution requires the approval by a majority of not less than two thirds of the deputies to the Supreme People's Assembly.

Note

The above is the translation of the Constitution of the DPRK in force in 1957. It was amended at the First Session of the Third Supreme People's Assembly of the DPRK on October 12, 1962.

The amended, supplemented or abrogated articles are: Article 35 (amended), Article 57 (amended and supplemented), Article 58 (amended and supplemented), Article 59 (amended and supplemented) and Article 61 (abrogated).

The Constitution was passed at the Special Session of the People's Assembly of North Korea on April 29, 1948.

It was enforced in the north Korean area from July 10, 1948.

It was adopted at the Supreme People's Assembly session of the DPRK on September 8, 1948.

THE TEN-POINT PROGRAMME OF THE ASSOCIATION FOR THE RESTORATION OF THE FATHERLAND

(May 5, 1936)

1. To mobilize the entire Korean nation and realize a broad-based anti-Japanese united front in order to overthrow the piratical Japanese imperialist rule and establish a genuine people's government in Korea;

2. To defeat Japan and overthrow its puppet state "Manchukuo" by the Koreans resident in Manchuria through a close alliance between the Korean and Chinese people, and to effect full autonomy for the Korean people residing in Chinese territory;

3. To disarm the Japanese armed forces, gendarmes, police and their agents and organize a revolutionary army truly fighting for the independence of Korea;

4. To confiscate all enterprises, railways, banks, shipping, farms and irrigation systems owned by Japan and Japanese and all property and estates owned by pro-Japanese traitors, to raise funds for the independence movement, and to use part of these funds for the relief of the poor;

5. To cancel all loans made to people by Japan and its agents and abolish all taxes and monopoly systems; to improve the living conditions of the masses and promote the smooth development of national industries, agriculture and commerce;

6. To win the freedom of the press, publications, assembly and association, oppose terrorist rule and the fostering of feudal ideas by the Japanese imperialists, and to release all political prisoners;

7. To abolish the caste system which divides the *ryangban* (nobles) and the common people, and other inequalities; to ensure equality based on humanity irrespective of sex, nationality or religion; to improve the social position of women and respect their personalities;

8. To abolish slave labour and slavish education; to oppose forced military service and military training of young people; to educate people in our national language, and to enforce free compulsory education;

9. To enforce an eight-hour day, improve working conditions and raise wages; to formulate labour laws; to enforce state insurance laws for the workers; and to extend state relief to the unemployed;

10. To form a close alliance with nations and states which treat the Koreans as equals and to maintain comradely relations of friendship with states and nations which express goodwill and maintain neutrality toward our national-liberation movement.

TWENTY-POINT PLATFORM

(March 23, 1946)

(1) To thoroughly liquidate all the remnants of Japanese imperialist rule from the political and economic life of Korea;

(2) To wage an implacable struggle against reactionary and anti-democratic elements at home and strictly ban the activities of fascist, anti-democratic political parties, organizations and individuals;

(3) To grant the entire people freedom of speech, the press, assembly and religion. To provide conditions for free activities to democratic political parties, trade unions, peasants' associations and other democratic social organizations;

(4) To see to it that the entire Korean people have the right and duty to form people's committees—the administrative organs responsible for all local affairs—through universal, direct and equal suffrage by secret ballot;

(5) To grant equal rights to all citizens in political and economic life, irrespective of sex, religion or property status;

(6) to assert the inviolability of persons and their residence and protect by law the property of citizens and their private possessions;

(7) To abolish all laws and judicial organs which were in operation during the rule of Japanese imperialism and still retain its aftereffects, elect the people's judicial organs on democratic principles and grant the citizens at large equal legal rights;

(8) To develop industry, agriculture, transport and trade for the enhancement of the people's welfare;

(9) To nationalize big enterprises, transport services, banks, mines and forests;

(10) To allow and encourage free activity in private handicrafts and trade;

(11) To confiscate the land belonging to Japanese, the Japanese state, the traitors, and landlords who continue to rent out their land; abolish the tenant system and distribute among the peasants, free of charge, all the confiscated land, making it their property. To confiscate without compensation all irrigation facilities and place them under state control;

(12) To fix market prices for living necessaries to combat speculators and usurers;

(13) To institute a system of uniform, equitable taxation and introduce a progressive income-tax system;

(14) To introduce an eight-hour working day for factory and office workers and fix minimum wages for them. To prohibit employment of children under 13 years of age and institute a six-hour working day for children of 13 to 16;

(15) To institute life insurance for factory and office workers and set up an insurance system for workers and enterprises;

(16) To introduce a system of universal compulsory education and widely increase primary, secondary and specialized schools and colleges to be run by the state. To reform the system of public education in line with the democratic state system;

(17) To actively develop national culture, science and the arts, and increase the number of theatres, libraries, radio broadcasting stations and cinema houses;

(18) To set up special schools on a wide scale for training the personnel required in state organs and in all fields of the national economy;

(19) To encourage scientists and artists in their work and give them assistance; and

(20) To increase the number of state-run hospitals, stamp out epidemics and provide free medical care to the poor.

THE LAW ON AGRARIAN REFORM IN NORTH KOREA

(March 5, 1946)

Article 1. Agrarian reform in north Korea is of historical and economic necessity.

The task of agrarian reform is to abolish Japanese ownership of land and Korean landlords' ownership of land and the tenant system and to transfer the right of using land to the tiller peasants. The agricultural system in north Korea is based on the peasant economy, the private property of the peasants who are not subjected to the landlords.

Article 2. The land to be confiscated and turned over to peasant ownership is:

a) The land owned by the Japanese state, Japanese nationals and Japanese organizations;

b) The land belonging to the traitors to the Korean nation—those who lent their active cooperation to the ruling organs of Japanese imperialism to the detriment of the interests of the Korean people—and the land of those who took flight from their localities at the time of Korea's liberation from the yoke of Japanese imperialism.

Article 3. The land to be confiscated and distributed gratuitously to the peasants for their ownership is:

a) The land of the Korean landlord who owns more than five *chongbo*;

b) The land not tilled by its owners but wholly leased out;

c) All the land rented out continuously, irrespective of its acreage;

d) The land of churches, monasteries and other religious organizations which owned over five *chongbo*.

Article 4. The land free from confiscation is:

a) The land belonging to schools, scientific and research institutions and hospitals;

b) The land owned by those who distinguished themselves

in the struggle for Korea's freedom and independence against the Japanese imperialist aggression and by their families, and the land owned by those who rendered distinguished services in the advancement of the national culture of Korea and by their families, which is stipulated in the special decision of the Provisional People's Committee of North Korea.

Article 5. All the land confiscated according to Articles 2 and 3 shall be placed free of charge in the permanent possession of the peasants.

Article 6.

a) The confiscated land shall be left to the discretion of the People's Committees to be distributed to the hired farm labourers, and landless and land-short peasants;

b) The land of the peasants tilled for themselves shall be left intact;

c) The landlords who want to till land for themselves are allowed, under this law, to own land only in other counties by the same right with the peasants.

Article 7. The distribution of land for peasant ownership shall be considered to be complete when the Provincial People's Committees will have delivered certificates of land ownership and entered them in the cadastre.

Article 8. The land distributed to the peasants under this law shall be exempted from general liabilities and charges.

Article 9. All loans owed by the hired farm labourers and peasants to the landlords whose land is confiscated under this law shall be nullified.

Article 10. The land distributed to the peasants under this law cannot be sold, purchased, leased out or mortgaged.

Article 11. The draught animals, farm implements and all residential buildings and grounds belonging to the landlords shall be confiscated according to Paragraph "a" of Article 3, and entrusted to the People's Committees for their distribution to the landless hired farm labourers and land-short peasants according to Article 6 of this law. All the confiscated buildings can be allotted so that they will be used by schools, hospitals and other public institutions.

Article 12. The orchards and other fruit trees owned by the Japanese state, Japanese nationals and all Japanese organizations shall be confiscated and committed to the charge of the Provincial People's Committees. The orchards and other fruit trees belonging to the Korean landlords whose land is confisca-

ted according to Paragraph "a" of Article 3 of this law shall be confiscated and left in the charge of the People's Committees.

Article 13. All the forests, except the small ones owned by the peasants, shall be confiscated and placed at the disposal of the Provisional People's Committee of North Korea.

Article 14. All the irrigation facilities owned by those whose land is confiscated under this law shall be placed gratuitously at the disposal of the Provisional People's Committee of North Korea.

Article 15. The agrarian reform shall be enforced under the guidance of the Provisional People's Committee of North Korea. In localities the responsibility for its enforcement shall be placed on the Provincial, County and Sub-county People's Committees, and in rural villages, on the rural committees which are elected at the general meetings of the hired farm labourers, and landless and land-short tenants.

Article 16. This law comes into effect as from the day of its promulgation.

Article 17. The agrarian reform shall be completed by the end of March, 1946.

The certificates of land ownership shall be delivered before June 20 this year.

LABOUR LAW FOR THE FACTORY AND OFFICE WORKERS OF NORTH KOREA

(June 24, 1946)

During the 36 years of the enslaving rule of Japanese imperialism in Korea the factory and office workers' labour was cruelly sweated and a working day for the Korean workers ranged from 12 to 14 hours.

In particular, juvenile and female workers were widely employed and owing to harsh exploitation, they were physically handicapped for generations. There was neither labour protection nor social insurance for the factory and office workers.

The great democratic reforms enforced since the liberation of north Korea by the Red Army have made it possible to radically improve and utilize labour of the factory and office workers and provided the possibility of raising their material standard of living.

The Provisional People's Committee of North Korea, with a view to liquidating the vestiges of colonial exploitation and radically improving the material conditions of factory and office workers, decides as follows:

Article 1. An eight-hour working day shall be introduced for the workers and office employees of all the state organs, social organizations and consumers' cooperatives and of all the private enterprises and business organs.

Article 2. A working day shall be fixed at seven hours for the workers who are engaged in those fields where production is done under harmful conditions and who work underground.

Recital: The Bureau of Industry and the General Federation of Trade Unions shall define the occupations falling under the categories of labour in the fields where production is done under harmful conditions and of underground labour to be ratified by the Provisional People's Committee of North Korea.

Article 3. A six-hour working day shall be fixed for the

children between the ages of 14 and 16, who are working in productive enterprises and business offices. The use of juvenile labour shall be prohibited in the production sectors with harmful or underground working conditions.

Recital: The Bureau of Industry and the General Federation of Trade Unions shall define the items of juvenile labour under harmful conditions to be ratified by the People's Committee.

Article 4. Those under 14 years of age shall be prohibited from working in all fields of production.

Article 5. Overtime work shall not be allowed in principle.

Recital: Overtime work in enterprises and offices shall be permitted in particular cases, subject to the approval of the trade union organization. The length of overtime work for each factory or office employee shall not exceed 250 hours a year.

Article 6. The limit of remuneration shall be fixed according to occupation, post and technique.

a. The wages of the employees in state enterprises and offices shall be defined by the Provisional People's Committee of North Korea.

b. Remunerations for workers in private enterprises and offices shall be decided by collective agreement or labour contract.

Article 7. Workers who do equal work with equal technique shall be paid equally, irrespective of age and sex.

Article 8. Piece-wages shall be set according to the output of standardized goods. The standard of their output shall be fixed under an agreement made between the owner of an enterprise and the trade union organization.

Article 9. Wages for overtime work and for work on off-days and public holidays shall not be less than 1.5 times the originally fixed wages.

Article 10. The wages of factory and office workers shall be paid twice a month at enterprises and offices according to the time limit fixed by contract.

Article 11. The 1st of January, the 1st of May, and the 15th and 16th of August every year shall be the red-letter days, and Sunday be an ordinary holiday. The local People's Committees have the right to fix special holidays less than six times a year, in addition to the aforesaid public holidays and off-days, according to local, national and religious customs.

Recital: No deduction of the sum for public holidays and off-days shall be made from the wages of those who are paid by the month.

Article 12. Regular vacation shall be granted to all the wage earners at least for two weeks once a year. Regular vacation for one month at least shall be granted to children up to 16 years of age. Beside the regular vacation, additional vacation for two weeks at least shall be granted to workers in enterprises where labour is especially harmful and hazardous. Wages during the regular and additional vacations shall be paid by the employer, and they be set according to the average wage rate for the last 12 months.

Recital: The kinds of production and occupation that require additional vacation shall be defined by the General Federation of Trade Unions and approved by the Provisional People's Committee of North Korea.

Article 13. Workers in privately unavoidable circumstances have the right to take short vacation without pay by agreement with the employer.

Article 14. The expectant women workers and office employees in all the enterprises and offices shall be granted a 35 days' leave before, and a 42 days' leave after, childbirth.

Article 15. A pregnant woman whose health condition requires lighter work than before can be shifted to lighter labour during the period from the sixth month of pregnancy to maternity leave. In this period she shall be paid according to the last six months' average of remuneration.

Article 16. A woman worker with less than one-year-old baby may have time to suckle it twice a day, for 30 minutes each. Her wage for the nursing hour shall be paid according to her average wage.

Article 17. An expectant or nursing mother shall be prohibited from working overtime or at night.

Article 18. A system of social insurance obligatory on workers and office employees of each enterprise, office and economic branch shall be established as follows:

a. Subsidies for workers who have temporarily lost labour ability;

b. Subsidies granted during maternity leave;

c. Subsidies for funeral expenses;

d. Pensions for those who are disabled in the course of

work or unable to attend to their duties owing to occupation diseases;

e. Pensions for bereaved families in case they have lost their fosterers.

The procedure of paying social insurance shall be as follows:

a. The state, consumers' cooperatives, public enterprises, offices and organizations shall contribute 5-8 per cent of the wages to be paid according to production sectors;

b. Private enterprises and employers shall pay within the limits of 10-12 per cent of the wages they pay;

c. The factory and office workers insured shall pay one per cent of their wages. Only those workers and office employees who have regularly paid fixed insurance due for more than seven months on end have the right to receive subsidies from the social insurance.

Article 19. The Bureau of Industry, together with the General Federation of Trade Unions, shall work out rules for the social insurance of factory and office workers, in which they will in advance specify the collection of fixed social insurance due and the provisions and limits for subsidies, pensions and medical help.

Article 20. The Bureau of Industry, together with the General Federation of Trade Unions, shall enact and enforce measures for the supervision and check-up of the safety devices and labour protection against danger to work in different production sectors.

Article 21. The Bureau of Public Health shall be entrusted with the task of taking and enforcing measures for the check up of sanitation and cleanliness in production sectors.

Article 22. The General Federation of Trade Unions, the Bureau of Finance, the Bureau of Industry and the Bureau of Transport shall be entrusted with the task of preparing a list of wage scales and the standard wages for workens and the fixed payroll for engineers, technicians and office employees at state enterprises, transport institutions and all other industrial establishments and for the office employees of all the administrative organs according to their ranks.

Article 23. Labour dispute between the employer and the employee shall be settled between the employer and the trade union. In case they should fail to reach an agreement, it shall be finally settled at the People's Court.

Article 24. The entire factory and office workers are in duty bound to observe lofty labour discipline in all respects. The managers of enterprises, owners of private enterprises and directors of respective institutions have the right to discharge at any time after consultation with the trade union representatives of their localities, those who have been absent from work without leave or violated labour discipline.

Article 25. A special committee shall be organized with the participation of the General Federation of Trade Unions, to study the problems concerning insurance on factory and office workers and the regulations of pensions for the unemployed and aged factory and office workers and lay down provisions for them. This committee shall work for a term of six months.

Article 26. This law shall come into force as from the day of its promulgation.

THE LAW ON EQUALITY OF THE SEXES IN NORTH KOREA

(July 30, 1946)

For 36 years the Korean women had been subject to incessant insult and cruel exploitation by Japanese imperialism. They had neither political nor economic right, and were denied to participate in cultural, social or political life. Medieval, feudalistic family relationship accentuated the political and economic oppression of women. Maltreatment, insult and illiteracy were the lot the masses of the Korean working women had to suffer. The Red Army emancipated north Korea from the Japanese colonial yoke, and this brought about a change in the social position of women. Various democratic reformations carried out in the country have provided conditions for freeing women from inequality of political, economic, cultural and family life, which they had suffered. With a view to liquidating the remnants of Japanese colonial rule, reforming the old feudalistic relationship between man and woman and enabling women to take part in all fields of cultural, social and political life, the Provisional People's Committee of North Korea decides:

Article 1. Women shall have equal rights with men in all realms of state, economic, cultural, social and political life.

Article 2. Women shall be on a par with men in the right to elect or to be elected in the local state organs or in the highest state organ.

Article 3. Women shall have equal right with men in work and the rights to equal pay, social insurance and education.

Article 4. Women shall have the right to free marriage like men. Unfree, forced marriage without consent of the contracting parties is prohibited.

Article 5. When conjugal relations get into trouble and cannot be continued any longer, women, too, are entitled to free divorce on an equal footing with men. A mother shall be allowed to sue her divorced husband for the cost of bringing up children. The suits for divorce and children's nursing expenses shall be dealt with by the People's Court.

Article 6. The age of marriage shall be full 17 or above for woman and full 18 or above for man.

Article 7. Polygamy, a hereditary custom based on medieval, feudalistic relations, and the evil practices of infringing upon the rights of women, such as selling and buying girls as wives or concubines, shall be hereafter prohibited. Both licensed and unlicensed prostitution, and *kisaeng*-girl keeping system (*kisaeng* call-office and *kisaeng* school) shall be prohibited. Those who violate this shall be punished by law.

Article 8. Women shall have the right of succession to the property including land like men and, when divorced, the right to distribution of property including land.

Article 9. With the proclamation of this law, the laws and rules of Japanese imperialism with regard to the Korean women's right are annulled.

This law shall become effective as from the day of its promulgation.

THE LAW ON THE NATIONALIZATION OF INDUSTRY, TRANSPORT, COMMUNICATIONS, BANKS, ETC., ENACTED BY THE PROVISIONAL PEOPLE'S COMMITTEE OF NORTH KOREA

(August 10, 1946)

Japanese imperialism occupied Korea for 36 years and turned her into its colony with a view to laying on the continent an economic foundation—a military base—aimed at enslaving the Korean people and shackling other peoples by occupying their territories. From the first day of their colonial rule in Korea the Japanese occupationists subjected the Korean economy to their imperialist interests and constructed numerous enterprises, electric power plants, railways and others at the cost of the sweat and blood of the Korean people. The Red Army which made an entry into Korea to crush the Japanese army has liberated north Korea from the fetters of Japanese imperialism, ensured democratic freedom to the Korean people and protected the private and public property of the Korean people. It has opened up possibilities for the rapid rehabilitation of the economy and culture of the Korean state. All the enterprises, power plants, mines, railways, etc., built in Korea by Japan with a view to exploiting the Korean people and shipping the resources of Korea to Japan should be brought under the ownership of the Korean people without fail and be used for the development of the Korean state and the betterment of the living of its people. The Provisional People's Committee of North Korea proclaims hereunder the Law on the Nationalization of Industry, Transport, Communications, Banks, etc.

All the enterprises, mines, power plants, railways and other means of transportation, communications, banks, trade and cultural establishments owned by the Japanese state, individuals

and corporations or by traitors to the Korean nation shall be confiscated without compensation and transferred to the ownership of the Korean people, namely, be nationalized.

This law shall come into effect as from the date of its promulgation.

THE LAW OF NATIONALITY OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

(October 9, 1963)

Article 1. The citizens of the Democratic People's Republic of Korea are:

1) Koreans and their children who had Korean nationality before the founding of the Democratic People's Republic of Korea and have not renunciated it until the day of promulgation of this law.

2) Those foreigners who acquired DPRK nationality through legal procedure.

Article 2. The DPRK citizens shall be protected politically and legally by the DPRK regardless of his or her place of residence.

Article 3. The DPRK citizens residing in foreign countries are entitled to make free travel to their homeland—the Democratic People's Republic of Korea.

Article 4. Those specified hereunder shall acquire DPRK nationality.

1) Children born from the DPRK citizens;

2) Children born from the DPRK and foreign citizens residing in the DPRK territory;

3) Children who are found within the DPRK territory and whose parents are unknown.

Article 5. The nationality of a child born from a DPRK citizen residing in a foreign country and a foreign citizen shall be decided by its parents' mutual agreement.

Article 6. Foreigners can acquire DPRK nationality by their request regardless of nationalities and races.

Article 7. Even when a DPRK citizen is married to a person without DPRK nationality, his or her nationality shall not be changed.

Article 8. In case the parents acquire DPRK nationality or divest themselves of it, the nationality of their children under 14 years of age shall change according to that of their parents, and the nationality of those under 18 years of age shall be changed only with their consent.

Article 9. In case either of the parents of DPRK nationality changes it, the nationality of their children shall not change.

Article 10. The acquisition of DPRK nationality or its denationalization shall be decided by the Presidium of the Supreme People's Assembly of the DPRK on his or her application.

ON STRENGTHENING THE ECONOMIC FOUNDATIONS OF THE COOPERATIVE FARMS AND IMPROVING THE LIVING STANDARD OF THE FARMERS—THE LAW ADOPTED AT THE SUPREME PEOPLE'S ASSEMBLY OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA

(March 26, 1964)

The Eighth Plenary Meeting of the Fourth Central Committee of the Workers' Party of Korea adopted *Theses on the Socialist Rural Question in Our Country.*

This theses authored by Comrade Kim Il Sung clarifies the fundamental principles and ways and means for the solution of the rural question after the triumph of the socialist revolution.

It is a programmatic document of great significance in the building of socialism in our country.

The peasant and agricultural questions, which are complex and very important in the socialist revolution and socialist construction, are being successfully solved in our country thanks to the correct policies and wise leadership of the Workers' Party of Korea.

The historical agrarian reform was carried out in the countryside, and the socialist transformation of agriculture was completed in a short period after the war.

In our countryside the socialist cooperative economic system has been firmly established, and the productive forces have been completely freed from all fetters of the old production relations based on private property.

This is one of the great victories our people have achieved under the leadership of the Workers' Party of Korea.

The Party has directed considerable effort to the further consolidation of the triumphant socialist cooperative economic

system and the development of the agricultural productive forces.

It has seen to it that the whole country is covered with a dense network of irrigation canals through a great nature-remaking project for irrigation of agriculture, and this has made it possible to overcome flood and drought and reap high and stable harvests.

The mechanization, electrification and chemicalization of agriculture are also being vigorously pushed forward.

In 1963, the network of farm machine stations expanded over two times as against 1958; as many tractors as 0.9 (in terms of 15 h.p. unit) for every 100 *chongbo* of cultivated land and tens of thousands of other modern farm machines were relieving the farmers of hard labour; and electricity found its way to 93.3 per cent of the total rural ri and 71 per cent of all the farm houses.

Last year the amount of chemical fertilizers applied per *chongbo* of farmland reached 300 kilogrammes, and the supply of varied agricultural chemicals and herbicides increased as well.

The material and technical foundations of the rural economy have been consolidated, a scientific farming system based on intensive farming methods has been introduced, and agricultural production is on a steady increase.

In parallel with the technological reconstruction of agriculture, the Party has directed deep attention to the work of raising the farmers' ideological, technical and cultural levels.

The introduction of the system of compulsory secondary education has enabled the younger generation in the countryside as well as in the towns to acquire general knowledge through the seven-year course.

Preparations for the introduction of compulsory technical education are being successfully pushed forward. A great number of rural young and middle-aged people are enlisted in various educational systems under which they study while on the job.

Tens of thousands of technical personnel have been dispatched to the rural areas in order to carry out the technological reconstruction of agriculture and raise the technical and cultural levels of the farmers.

At present, the number of engineers, assistant engineers and specialists working on the cooperative farms is nearly six times greater than in 1959.

A marked change has also taken place in the cultural life of the farmers.

A large number of modern houses and cultural and welfare establishments have been built in the countryside, and a clinic has been set up in each rural ri.

Various kinds of publications are distributed to the rural villages in large quantities, and mass cultural activities are brisk in the countryside.

Our villages, once stagnant and backward, are now becoming a new, modern countryside, full of life, neat and comfortable.

Communist education with class education as its keynote and education in the revolutionary traditions have been intensified among the farmers, with the result that the farmers have been awakened beyond measure and undergone a great change in their ideological consciousness.

Today our farmers are boundlessly loyal to the Party and state, and are displaying a high degree of enthusiasm and initiative for the building of a socialist countryside, defending the gains of socialism, loving labour and helping and pulling each other forward.

The Chollima Workteam Movement is gaining in scope and strength in the countryside.

The Party and state have strengthened material and technical assistance to the countryside, relying on the socialist industry. They allocated a huge amount of funds for the technological reconstruction of agriculture and the construction of dwelling houses and cultural and welfare establishments, raised the purchasing prices of industrial crops and animal products, reduced and cancelled state loans and agricultural tax in kind on several occasions for cooperative farms, and cut down irrigation fees and farm machine hire.

Large numbers of urban young and middle-aged people have been sent to the countryside, and social labour assistance to it increased.

Enormous state support to the countryside has fired farmers' labour enthusiasm, accelerated an upsurge in agricultural production, consolidated the economy of the cooperative farms and improved the farmers' livelihood.

The county is a base linking town and country in all spheres of politics, economy and culture.

It was reorganized and its work improved and strengthened in conformity with the developing reality, with the result that

the ties between town and country have become closer and the role of the county has increased in developing agriculture.

Through the implementation of the Chongsan-ri spirit and Chongsan-ri method, there have been established a system of the higher unit helping the lower with responsibility and a work style of trusting the masses and relying on them in state leadership over the countryside.

The county cooperative farm management committee, a specialized organ of agricultural guidance which directs the cooperative farms by the industrial methods, has been organized to suit the new circumstances under which farming techniques have been developed and the technical equipment of the cooperative farms reinforced.

The new agricultural guidance system displays great vitality.

The newly established agricultural guidance organs exercise unified control over the technical forces and state enterprises serving agriculture and play a great role in state guidance to the cooperative farms.

Technical guidance and material assistance to agricultural production have been strengthened, the organic ties between all-people property and cooperative property established, the worker-peasant alliance cemented and the leading role of the working class enhanced.

Thanks to the correct policies of the Party and Government and the creative labour efforts of the farmers agricultural production has shown a yearly increase.

In 1963 a rich harvest was reaped in grain production in spite of unfavourable weather conditions, and the increased rice yield has improved the qualitative composition of grain.

The yields of industrial crops have increased considerably, foundations for the development of livestock breeding have been firmly laid, and the fruit output is expected to grow rapidly in the near future.

Today in our country there have been established food and raw material bases solid enough to attain self-sufficiency in food and industrial raw materials, and the farmers' general standard of living has reached that of the middle or well-to-do middle peasants.

The centuries-old aspiration of our farmers for a life of plenty and culture is being realized in our times.

The consolidation of the socialist cooperative economy, the

development of the agricultural productive forces, the improvement of the farmers' living and their high revolutionary zeal—these constitute a brilliant victory of the Party's policy for the correct solution of the peasant and agricultural questions and a great fruition of the infinite superiority of the socialist system established in the countryside.

Today we are faced with the huge task of developing the rural economy on to a higher level and building our socialist countryside more splendidly.

The further strengthening of the economic foundation of the cooperative farms and the improvement of the farmers' living have led to the abridgement of the distinction between towns and the countryside. This distinction, however, is still striking.

Because of the century-old backwardness left over by Japanese imperialism our countryside lags behind towns and the farmers' life fails to catch up with that of the factory and office workers.

We must do everything in our power to eliminate the difference between town and country. We must continue to strictly adhere to the principles of Marxism-Leninism in the solution of the rural question and develop the socialist rural economy in the revolutionary spirit of self-reliance.

We must dynamically push ahead with the ideological, technical and cultural revolutions in the countryside so as to turn it into a rich and cultured socialist countryside equipped with modern technology.

The working class should lead the peasantry, industry assist agriculture and towns support the countryside.

The county should be built up firmly and its role elevated in all fields of socialist rural construction.

The level of the county cooperative farm management committee's guidance by the industrial methods should be raised, the role of the state enterprises serving agriculture enhanced, the material and technical assistance of the state to the cooperative farms made effective, and the ties between all-people property and cooperative property further strengthened.

State investments in agriculture should be steadily increased and measures taken to systematically improve the material and cultural standards of the farmers.

Public service units equipped with shops and all the other necessary establishments should be set up in all farm villages, a larger quantity of daily necessities supplied to the country-

side, and the life of the farmers made more comfortable and cultured.

Our agriculture has a bright prospect of development. We have all possibilities and ample conditions for the solution of the nation's peasant and agricultural questions.

There are the wise leadership of the Workers' Party of Korea, the people's power, the people's revolutionary zeal for faster advance, and a powerful industry and state accumulation which render it possible to give constant strong assistance to agriculture.

Recognizing with satisfaction the great successes scored in the field of agriculture under the wise leadership of the Central Committee of the Workers' Party of Korea headed by Comrade Kim Il Sung, the Supreme People's Assembly of the Democratic People's Republic of Korea, with a view to further strengthening the material and technical foundations of the cooperative farms and radically improving the farmers' livelihood, decides as follows:

1. The agricultural tax in kind paid to the state by the cooperative farms shall be completely abolished in three years from 1964 to 1966.

2. The construction of all productive facilities including irrigation facilities, thrashing grounds, animal sheds, storehouses, rural power stations and electric facilities and of cultural and welfare establishments, which the cooperative farms have carried on out of their own funds, shall be conducted by state investment.

Thrashers, fodder crushers, electric motors, water pumps, sprayers, straw-bag weaving machines and all other farm machines shall be supplied free of charge to the cooperative farms by the state and their repairs done also at state expense.

3. Modern farm houses shall be built at state expense according to a yearly plan. The state shall also bear the cost of construction for the modern farm houses already built.

4. The Cabinet of the Democratic People's Republic of Korea shall be entrusted with the task of taking measures for the enforcement of this law on strengthening the economic foundations of the cooperative farms and improving the living standards of the farmers.

It is firmly believed that the entire people, rallying themselves rock-firm around the Workers' Party of Korea and the Government of the Republic and upholding the revolutionary ban-

ner of self-reliance, will thoroughly carry out the programmatic tasks set forth by our respected and beloved leader Comrade Kim Il Sung in his *Theses on the Socialist Rural Question in Our Country,* and thus build our socialist countryside faster and better.

ON TOTALLY ABOLISHING AGRICULTURAL TAX IN KIND

(The Law Adopted at the Fifth Session of the Third Supreme People's Assembly of the Democratic People's Republic of Korea, April 29, 1966)

Thanks to the correct policy and leadership of the Workers' Party of Korea the historical revolutionary task of the solution of the peasant and agricultural questions is being carried out successfully in our country.

After the triumph of socialism in our countryside, socialist rural construction has made great progress.

As a result of the acceleration of the technical, cultural and ideological revolutions and of the intensification of the guidance and support of the state to cooperative farms, our countryside is becoming a socialist countryside with modern technology. The material and technological foundations of the rural economy have been consolidated, agricultural production has increased and the material and cultural living of the peasants has been improved markedly.

These successes are attributable to the consistent concern of the Workers' Party of Korea and the Government of the Republic for the consolidation and development of the triumphant socialist system in the countryside and for the improvement of the material and cultural living of the peasants. They are also the fruition of the devoted labour efforts of the peasants.

The total abolition of the agricultural tax in kind this time demonstrates another great popular policy of the Workers' Party of Korea which confers state benefit upon the peasants.

Right after liberation, the Workers' Party of Korea delivered the peasants from high farm rents and all kinds of miscellaneous levies by enforcing a uniform agricultural tax-in-kind system as well as the agrarian reform.

The system of agricultural tax in kind has played a great role in supplying the urban dwellers with food and providing industry with raw materials and funds necessary for its development.

With the development of socialist industry and the building of an independent foundation of the national economy, the state reduced the rate of the tax in kind several times so as to lighten the peasants of their burden of the tax in kind. It also granted some cooperative farms the favour of reduction or cancellation of the agricultural tax in kind.

As the support of industry to agriculture has been further increased as a result of the successful fulfilment of the Five-Year Plan and the building of a foundation for industrialization, the Fourth Congress of the Workers' Party of Korea decided on totally abolishing the agricultural tax in kind in the Seven-Year Plan period. *Theses on the Socialist Rural Question in Our Country* proposed to completely abolish the tax in kind over a period of three years from 1964 to 1966. On this basis, most of the cooperative farms have already been exempted from the tax in kind.

The year 1966 will be a year when the rest of the cooperative farms are all exempted from the tax in kind.

Proceeding from the decision of the Fourth Congress of the Workers' Party of Korea and the spirit of *Theses on the Socialist Rural Question in Our Country,* the Supreme People's Assembly of the Democratic People's Republic of Korea decides:

The agricultural tax in kind which has been in force from 1946 in our country shall be totally abolished. As a historical event of freeing the peasants from the burden of tax once and for all, the abolition of the agricultural tax in kind will consolidate the economic foundation of cooperative farms and further improve peasants' material and cultural living. It will also cement the worker-peasant alliance led by the working class still more and will greatly encourage the struggle of the south Korean peasants for land and freedom and the struggle of all the south Korean people for liberation.

The Supreme People's Assembly of the Democratic People's Republic of Korea is convinced that our cooperative farmers inspired by the repeated benefits given by the Workers' Party of Korea and the Government of the Republic, will successfully carry out the revolutionary tasks confronting the rural economy.

DECREE OF THE CENTRAL PEOPLE'S COMMITTEE OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ON INSTITUTING "DPRK SOCIALIST CONSTITUTION MEMORIAL DAY"

(December 24, 1973)

December 27, 1972, was a significant day when the "Socialist Constitution of the Democratic People's Republic of Korea" was established.

The establishment of the "Socialist Constitution of the Democratic People's Republic of Korea" was an event of epochal significance in the long history of our people and in the revolutionary development and the socio-political life in our country.

The most superior Socialist Constitution, which is Juche-oriented, revolutionary and democratic, serves as a powerful instrument of our state power in defending the socialist system of our country and the dictatorship of the proletariat and realizing the revolutionary cause of the working class.

The "Socialist Constitution of the Democratic People's Republic of Korea" inheriting the shining revolutionary traditions of the glorious anti-Japanese revolutionary struggle legally fixes the great victory, success, priceless exploits and experience gained by our people in the revolutionary struggle and construction work under the banner of our Party's Juche idea; it gives a comprehensive definition of the principles to be observed in the political, economic and cultural domains, the basic rights and duties of citizens, the composition and duties of state organs and the principles governing their activities; it scientifically elucidates all the theoretical and practical problems arising in the state building.

Our Socialist Constitution is a new, original one which comprehensively embodies the Juche idea in its whole system and content; it is a genuinely people's constitution that firmly

protects the will and interests of the workers, peasants, soldiers and working intellectuals; it is the most revolutionary constitution serving the advocation of the policies of our Party and the Government of the Republic, the firm safeguarding of the gains of the revolution and the acceleration of socialist construction and the revolutionization and working-classization of the whole society.

With the establishment of the Socialist Constitution our state is provided with a new, incisive weapon of the proletarian dictatorship, and our people have come to have a solid legal guarantee for socialist and communist construction.

With the establishment and enforcement of the Socialist Constitution a new change is taking place in the political, economic and cultural life of our country, and our people, firmly convinced of the justness of their cause, are advancing more vigorously towards socialism and communism.

The enforcement of the Socialist Constitution vigorously inspires the south Korean people in their struggle for the democratization of society and the independent reunification of the country, and the Korean citizens in Japan and all other overseas compatriots in their struggle for democratic national rights and legal rights recognized by the international law.

It is the most sacred duty and the greatest honour of all the state organs, enterprises, social cooperative organizations and citizens to defend and fully implement the Socialist Constitution which is a priceless gain of our revolution and a great creature of our socialist system.

With a view to commemorating down through generations the significant day of the establishment of the "Socialist Constitution of the Democratic People's Republic of Korea", which marked a new milestone in the history of our people, the Central People's Committee of the Democratic People's Republic of Korea decides as follows:

1. December 27 every year is fixed as the "DPRK Socialist Constitution Memorial Day".
2. The "DPRK Socialist Constitution Memorial Day" is observed as a national festival day, and on that day the national flag of the Republic shall be hoisted at all state organs, enterprises, cooperative farms and every household. The Socialist Constitution Memorial Day is set as a legal holiday.
3. On the occasion of the "DPRK Socialist Constitution Memorial Day" all the state organs, enterprises, cooperative farms and citizens should intensify the study, explanation and propaganda of our Socialist Constitution and thoroughly implement it in all fields of state and social life on a routine basis.

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